Environmental Clearance Application

Initial Study

ALTURA

General Plan Amendment (GP04-03-02)
and
Planned Development (PD) Zoning (PDC04-069)

Application by

Pulte Home Corporation

November 4, 2004

Mindigo & Associates Environmental Consultants
1984 The Alameda ■ San Jose, California 95126 ■ (408) 554-6531

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City of San Jose
Department of Planning, Building and Code Enforcement
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ENVIRONMENTAL CLEARANCE APPLICATION

TO BE COMPLETED BY PLANNING DIVISION STAFF		
FILE NUMBER:		RECEIPT #:_____
ND GRANTED:	EIR REQUIRED:	DATE:_____
PROJECT MANAGER:	ENVIRONMENTAL COORDINATOR:	AMOUNT:_____ BY:
NOTES:		

I. PROJECT DESCRIPTION

A. GENERAL INFORMATION

Applicant: Pulte Home Corporation
6210 Stoneridge Mall Road, 5th Floor
Pleasanton, CA 94566
925-249-3200; (fax) 925-485-0391
Attn: Vince Cantore

Property Owner: The Gahrahmat Family Limited Partnership
2025 Gateway Place, #124
San Jose, CA 95110
408-453-7310; (fax) 408-452-0268

Environmental Consultant: Mindigo & Associates
1984 The Alameda
San Jose, CA 95126
408-554-6531, (fax) 408-554-6577

Name of Project: ALTURA

Location of Project: Northeasterly quadrant of Campbell Avenue and Newhall Street (1120 to 1140 Campbell Avenue)

Brief Description of Project: A General Plan Amendment from Light Industrial to High Density Residential (25-50 du/ac); and a 220-unit single family attached residential development and a 1.51-acre public park on approximately 10.1 gross acres

Assessor's Parcel Number(s): 230-14-031 and -032

___ INSERT SANTA CLARA VALLEY MAP (Figure 1)

___ INSERT USGS MAP (Figure 2)

___ INSERT VICINITY MAP (Figure 3)

___ INSERT ASSESSOR'S PARCELS MAP (Figure 4)

___ INSERT AERIAL PHOTO OF THE VICINITY (Figure 5)

___ INSERT AERIAL PHOTO OF THE SITE (Figure 6)

___ INSERT VIEW OF THE SITE (Figure 7)

___ INSERT VIEW OF THE SITE (Figure 8)

___ INSERT VIEW OF THE SITE (Figure 9)

___ INSERT VIEW OF THE SITE (Figure 10)

B. PROJECT OBJECTIVE

General Plan Amendment

The objective of this project is to amend the San Jose 2020 General Plan Land Use/ Transportation Diagram to allow future high density residential development on the site. The proposal would take advantage of an underutilized parcel of land in converting the property to a more efficient residential use in an effort to assist the City of San Jose in reaching its housing goals.

PD Zoning

The objective of this project is to construct high quality, single family attached homes on the site, in accordance with the goals and policies of the City of San Jose. The proposal would:

- Take advantage of an underutilized parcel of land by converting the property to a more efficient, residential use in an effort to assist the City of San Jose in reaching their housing goal.
- Provide housing in an area served by the necessary infrastructure, near job centers, and close to transit centers in an already urbanized area.
- Provide a neighborhood park in an effort to address the need for open space in the area.

C. DESCRIPTION

GENERAL PLAN AMENDMENT

The project is a General Plan Amendment application for a High Density Residential (25-50 du/ac) land use designation on approximately 10.1 acres located at the northeasterly quadrant of Campbell Avenue and Newhall Street (1120 to 1140 Campbell Avenue). The site is currently designated on the San Jose 2020 General Plan for Light Industrial.

High Density Residential (25-50 du/ac)is defined as follows:

> **High Density Residential (25-50 du/ac)**
> *"This density is typified by three- to four-story apartments or condominiums over parking. This density is planned primarily near the Downtown Core Area, near commercial centers with ready access to freeways and/or expressways and in the vicinity of the rail stations within the Transit-Oriented Development Corridors Special Strategy Area. Sites within reasonable walking distance of a passenger rail station (2,000 feet) may be appropriate for vertical commercial/residential mixed-use development under a Planned Development zoning. The commercial component should be well integrated and well designed in the context of the overall development, with the commercial uses serving the surrounding neighborhood and rail passengers."*

Existing General Plan

The existing San Jose 2020 General Plan land use designation on the site is Light Industrial. Based on the General Plan methodology, the Light Industrial designation would allow no residential units.

General Plan Change

The allowable units under the existing and proposed designations, using the General Plan methodology, are summarized below:

Designation	Dwelling Units
Existing General Plan	0
Proposed Amendment	385

PD ZONING

The Planned Development (PD) zoning application is for a single family attached residential development located on private streets. The Conceptual Site Plan provides for 220 units. The Project Data table and reduced copies of the project plans follow. Full size copies are available for review at the City of San Jose Planning Division.

Unit Types

The homes are planned to be three story, wood frame structures with wood and stucco exteriors. Most units have a private patio or deck. There are 34 buildings with 4, 5, 6, 7, 8, or 9 units per building, as follows:

Plan	No. of Stories	No. of Bedrooms	No. of Baths	Square Footage
1A	3	2	2.5	1,034
1B	3	2	2.5	1,034
2	3	2	2.5	1,312
3	3	2	2.5	1,439
4	3	3	3.5	1,610

Landscaping

The landscaping proposed is shown in schematic form on the Conceptual Landscape Plan, Figure 19. Street trees, specimen trees, shrubs and groundcover are planned throughout the project.

Access and Street System

Access to the project is from Campbell Avenue, with emergency access only from Newhall Street. The internal project street system is to be private. The private streets are to be constructed of asphaltic concrete on a rock base, with concrete curbs, gutters and sidewalks, and new street trees and electroliers in accordance with City standards.

Parking
Parking for the project is provided by a combination of covered and open spaces. Covered parking is provided in the first floor garages. Common and guest parking spaces are located throughout the project as shown on the Conceptual Site Plan. Parking spaces are listed in the Project Data table.

Exterior Lighting
Standard electroliers utilizing low pressure sodium vapor lights in accordance with the City's Outdoor Lighting on Private Developments Policy are to be provided along the public and private streets. Normal downward-directed exterior household lighting is to be provided with the residences.

Utilities
All utilities required to serve the project, including sanitary sewer, wastewater treatment, water supply, storm drainage, natural gas, electricity and telephone, as further described in the following Utilities and Service Systems section, would be provided with the project. All of the utilities within the project are to be underground.

Demolition
The project proposes the demolition of all the onsite structures. A discussion of potential asbestos-containing materials (ACM) and/or lead based paint (LBP) hazards is included in the following Hazards and Hazardous Materials section.

Hazardous Materials
Hazardous materials other than those for normal household and yard use will not be used as a part of the operation of any of the establishments on the project site.

Grading
Grading planned for the project is shown on the following Conceptual Grading & Drainage Plan, Figure 18. The final lot and street grading for the project is to be designed to conform to the natural ground as closely as possible. The amount of grading planned is the minimum required to provide public streets that meet requirements for structural section and rate of grade, and to allow the construction of level building pads with positive drainage. In addition to the lot and street excavation, trenching is required for the underground utilities and sewer system. Approximately 20,000 cubic yards of material are estimated to be moved during the grading operations. The maximum finished cut or fill is estimated to be less than 2.5 feet, and no significant import or export of natural material is expected.

Tree Removal
There are 26 existing trees onsite, all of which are to be removed, as further discussed in the following Biological Resources section.

Public Improvements
Public improvements planned with the project include the improvement of Campbell Avenue adjacent to the project site. The precise improvement width is to be in conformance with City plans and requirements.

Public Land Reservations
A 1.51-acre portion of the site is to be dedicated to the City for public park purposes.

Other Related Permits
In addition to the proposed General Plan Amendment and Planned Development (PD) zoning, other related permits to be obtained from the City of San Jose and/or any other public agency approvals required for this project by other local, State or Federal agencies are as follows:

Agency	Permit/Approval
City of San Jose	PD Permit, Tentative Map, Final Map, Grading Plan, Building Plans

Community Meeting
A community meeting to discuss the proposed project with neighbors was held on September 28, 2004. The following issues were covered: access point onto Newhall Street, parking ratio, continuation of Campbell Avenue closure at Newhall Street, traffic impact, compatibility of remaining industrial land, noise attenuation, construction mitigation, and park planning (e.g., baseball diamond, dog park, parking to be provided). A community meeting(s) will also be held in conjunction with the General Plan Amendment process.

Table 1. Project Data

Category		Figure
Gross Acreage		10.13
Public Park		1.51
Net Acreage		8.62
Number of Single Family Homes		
Two bedroom units		152
Three bedroom units		68
Total		220
Building Height *(feet)*		42
Estimated Population *		674
Estimated School Children		
K-12 *(0.5)*		110
Parking Spaces		
Garage		440
Onsite		27
On Street		95
Total		562
Estimated Wastewater *(gallons/day)*		39,600
Estimated Water Demand *(gallons/day)*		80,900
Estimated Solid Waste *(tons/year)*		185
Coverage Factors	Acres	Percent
Buildings	3.4	33
Landscaping	2.4	24
Private Vehicular Area	2.8	28
Public Park	1.5	15
Total	10.1	100
Impervious Areas	Acres	Percent
Existing	8.0	80
Project	6.2	61
Density *(units/net acre)*		220 / 8.6 = 25.6
Density *(units/gross acre)*		220 / 10.1 = 21.8
Start/Completion Dates		Summer, 2005 / Summer, 2008

* Based on 2000 Census average of 3.06 persons per SFA dwelling unit.

INSERT LAND USE PLAN
(FIGURE 11)

11 x 17

INSERT CONCEPTUAL SITE PLAN
(FIGURE 12)

11 x 17

INSERT TYPICAL BUILDING PLAN – First Floor
(FIGURE 13)

8 1/2 x 11

INSERT TYPICAL BUILDING PLAN – Second Floor
(FIGURE 14)

8 1/2 x 11

INSERT TYPICAL BUILDING PLAN – Third Floor
(FIGURE 15)

8 1/2 x 11

INSERT TYPICAL ELEVATIONS
(FIGURE 16)

8 1/2 x 11

INSERT TYPICAL BUILDING SECTION
(FIGURE 17)

8 1/2 x 11

INSERT CONCEPTUAL GRADING & DRAINAGE PLAN
(FIGURE 18)

11 x 17

INSERT CONCEPTUAL LANDSCAPE PLAN
(FIGURE 19)

11 x 17

II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION

1. AESTHETICS

SETTING

The current view of the project site consists primarily of an industrial warehouse building and parking, which can be seen in the preceding photographs, Figures 7 through 10.

Scenic Route

The project site is not located adjacent to a designated scenic route.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on aesthetics if it would:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway.
- Substantially degrade the existing visual character or quality of the site and its surroundings.
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.
- Increase the amount of shade in public and private open space on adjacent sites.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?				**X**	25,26,27
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?				**X**	25, 26,27,29
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		**X**			25,26,27
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?		**X**			25,26,28
e. Increase the amount of shade in public and private open space on adjacent sites?			**X**		25,26,28

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Urban Design; Housing; and Energy policies would reduce any potential aesthetics impacts of future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Urban Design Policy No. 1

- The City should continue to apply strong architectural and site design controls on all types of development for the protection and development of neighborhood character and for the proper transition between areas with different types of land uses.

Urban Design Policy No. 2

- Private development should include adequate landscaped areas. Landscaped areas should utilize water efficient plant materials and irrigation systems. Energy conservation techniques such as vegetative cooling and wind shielding should also be utilized. All landscaped areas should include provision for ongoing landscape maintenance.

Urban Design Policy No. 4

- Residential developments which are adjacent to parks or open spaces should be encouraged to provide direct access to, and common open space contiguous to, such areas.

Urban Design Policy No. 6

- Proposed structures adjacent to existing residential areas should be architecturally designed and sited to protect the privacy of the existing residences.

Urban Design Policy No. 7

- The City should require the undergrounding of distribution utility lines serving new development sites as well as proposed redevelopment sites. The City should also encourage programs for undergrounding existing overhead distribution lines. Overhead lines providing electrical power to light rail transit vehicles and high tension electrical transmission lines are exempt from this policy.

Urban Design Policy No. 15

- In order to realize the goal of providing street trees along all residential streets, the City should:
  - Continue to update, as necessary, the master plan for street trees which identifies approved varieties.
  - Require the planting and maintenance of approved varieties of street trees as a condition of development.
  - Continue the program for management and conservation of street trees which catalogs street tree stock replacement and rejuvenation needs.
  - Continue to work with volunteer urban forestry programs (San Jose Beautiful/Our City Forest) to promote tree planting and maintenance by residents.

Urban Design Policy No. 16

- When development is proposed adjacent to existing or planned parks or park chains, that development should include public park-frontage roads, wherever feasible, in order to maximize access to park lands, to provide a reasonable separation between urban land uses

and park lands without the use of "back-up" design, and to maximize exposure of park lands for scenic and security purposes.

Urban Design Policy No. 18

- To the extent feasible, sound attenuation for development along City streets should be accomplished through the use of landscaping, setback and building design rather than the use of sound attenuation walls. Where sound attenuation walls are deemed necessary, landscaping and an aesthetically pleasing design shall be used to minimize visual impact.

Urban Design Policy No. 22

- Design guidelines adopted by the City Council should be followed in the design of development projects.

Urban Design Policy No. 24

- New development projects should include the preservation of ordinance-sized and other significant trees. Any adverse effect on the health and longevity of such trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement.

Housing Goal No. 5

- Incorporate good design, foster aesthetics, and promote usable open space, and encourage use of alternative energy sources and energy conservation techniques in residential development.

Energy Policy No. 6

- All street lights in areas outside of the Downtown Core Area should use the low-pressure sodium vapor. Within the Downtown Core Area, high pressure sodium vapor street lights should be used.

Energy Policy No. 7

- The City should require low-pressure sodium vapor lighting for outdoor, unroofed areas in all new developments and encourage existing development to retrofit using low-pressure sodium vapor lighting.

PD ZONING

The current view of the project site consists primarily of an industrial warehouse building and parking, which can be seen in the preceding photographs, Figures 7 through 10. The project would change the view of the site from industrial to residential.

Light and Glare

The project could potentially produce offsite light and glare. The project would be designed to utilize downward-directed low pressure sodium vapor street lights and downward-directed lights with low elevation standards in the parking areas in order to prevent offsite light and glare.

Temporary Construction Visual Impacts

Construction of a typical project causes short-term visual impacts. The grading operations create a visual impact, and construction debris, rubbish and trash can accumulate on construction sites and are unsightly if visible from public streets. The completion of the project improvements and landscaping would eliminate the short-term visual impacts of the grading and construction operations.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Project Measures

- Trees and landscaping shall be provided.

Light and Glare

- Downward-directed low pressure sodium vapor street lights along the public streets and downward-directed lights with low elevation standards in the parking areas shall be provided in order to prevent offsite light and glare.

Temporary Construction Visual Impacts

- Public streets that are impacted by project construction activities shall be swept and washed down daily.

- Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

2. AGRICULTURE RESOURCES

SETTING

Important Farmlands

The *Santa Clara County Important Farmland Map*, prepared by the California Department of Conservation and the USDA Soil Conservation Service, classifies land in seven categories in order of significance: 1) prime farmland, 2) farmland of Statewide importance, 3) unique farmland, 4) farmland of local importance, 5) grazing land, 6) urban and built-up land and 7) other land. The project site is classified as " urban and built-up land," which is defined as land occupied by structures with a building density of at least one unit to one and one-half acres.

Williamson Act

The California Land Conservation Act ("Williamson Act") was enacted to help preserve agricultural and open space lands via a contract between the property owner and the local jurisdiction. Under the contract, the owner of the land agrees not to develop the land in exchange for reduced property taxes. The project site is not under a Williamson Act contract.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on agriculture resources if it would:

- Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE RESOURCES. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**	30,31
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**	32,57
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				**X**	25,26,28

GENERAL PLAN AMENDMENT

The site is already developed and is not classified as farmland; therefore, future high density residential development would not have a significant impact on agriculture resources.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

PD ZONING

Important Farmlands

The project site is classified as urban and built-up land on the *Important Farmland Map* for Santa Clara County. Since the site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use, the project would not have a significant impact on agricultural land.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

3. AIR QUALITY

SETTING

Bay Area Air Quality Management District

The project site is located in the Bay Area Air Quality Management District (BAAQMD). The District includes seven Bay Area counties and portions of two others. Air quality emission and control standards are established by the BAAQMD and the California Air Resources Board, and by the Environmental Protection Agency (EPA) at the Federal level. These agencies are responsible for developing and enforcing regulations involving industrial and vehicular pollutant emissions, including transportation management and control mitigation measures.

Regional Climate

The air quality of a given area is not only dependent upon the amount of air pollutants emitted locally or within the air basin, but also is directly related to the weather patterns of the region. The wind speed and direction, the temperature profile of the atmosphere, and the amount of humidity and sunlight determine the fate of the emitted pollutants each day, and determine the resulting concentrations of air pollutants defining the "air quality."

The Bay Area climate is Mediterranean, with mild, rainy winters November through March, and warm, sunny and nearly dry summers June through September. Summer temperature inversions trap ground level pollutants. Winter conditions are less conducive to smog, but thin evening inversions sometimes concentrate carbon monoxide emissions at ground level.

Air Quality Standards

The U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board have both established ambient air quality standards for common pollutants to avoid adverse health effects from each pollutant. The pollutants, which include ozone, carbon monoxide (CO), nitrogen dioxide, and particulate matter (PM_{10} and $PM_{2.5}$), and their standards are included in the Local Air Quality table that follows.

Regional Air Quality

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as "nonattainment areas". In June of 1998, the U.S. EPA reclassified the Bay Area from "maintenance area" to nonattainment for ozone based on violations of the federal standards at several locations in the air basin. This reversed the air basin's reclassification to "maintenance area" for ozone in 1995. Reclassification required an update to the region's federal air quality plan.

Under the California Clear Air Act, Santa Clara County is a nonattainment area for ozone and particulate matter (PM_{10}). The county is either attainment or unclassified for the other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans; these plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or, if not, provide for adoption of "all feasible measures on an expeditious schedule".

Local Air Quality

Air quality in the project area is subject to the problems experienced by most of the Bay Area. Emissions from millions of vehicle-miles of travel each day often are not mixed and diluted, but are trapped near ground level by an atmospheric temperature inversion. Prevailing air currents generally sweep from the mouth of the Bay toward the south, picking up and concentrating pollutants along the way. A combination of pollutants emitted locally, the transport of pollutants from other areas, and the natural mountain barriers (the Diablo Range to the east and the Santa Cruz Range to the southwest) produce high concentrations. Air quality data from the last three years at the nearest BAAQMD monitoring station in San Jose, and Federal and State standards, are shown in the following table.

Table 2. Local Air Quality

Pollutant	Standard	Days Exceeding Standard 2001	2002	2003
OZONE				
State 1-hour	0.09 ppm	2	na*	4
Federal 1-hour	0.12 ppm	0	na*	0
Federal 8-hour	0.08 ppm	0	na*	0
CARBON MONOXIDE				
State/Federal 8-hour	9.0 ppm	0	0	0
NITROGEN DIOXIDE				
State 1-hour	0.25 ppm	0	0	0
PARTICULATE MATTER (PM_{10})				
State 24-hour	50 $\mu g/m^3$	4	2	3
Federal 24-hour	150 $\mu g/m^3$	0	0	0
PARTICULATE MATTER ($PM_{2.5}$)				
Federal 24-hour	65 $\mu g/m^3$	na**	0	0

ppm = parts per million $\mu g/m^3$ = micrograms per cubic meter

SOURCE: Bay Area Air Quality Management District monitoring data for San Jose.

* The San Jose 4th Street monitoring station was closed for relocation on April 30, 2002, and reopened as San Jose Central on October 5, 2002. Ozone statistics for 2002 are not available.

** 2002 is the first year reporting $PM_{2.5}$ statistics.

Project Site

The project site is similar to other locations in the South Bay; air quality meets adopted State and/or Federal standards (the more stringent standard applies) on most days, and during periods when regional atmospheric conditions are stagnated, the air quality is poor throughout the extended South Bay area. There are no existing sources on the project site that currently adversely affect local air quality.

Sensitive Receptors

Sensitive receptors are facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, schools, playgrounds, child care centers, retirement homes, convalescent homes, hospitals and medical clinics. The closest sensitive receptors are the single family residences located southwesterly and southeasterly of the project site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).
- Expose sensitive receptors to substantial pollutant concentrations.
- Create objectionable odors affecting a substantial number of people.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?				**X**	29,34
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		**X**			26,34
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			**X**		26,34

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY (Cont.). Would the project:					
d. Expose sensitive receptors to substantial pollutant concentrations?				**X**	28,34
e. Create objectionable odors affecting a substantial number of people?				**X**	26,28

GENERAL PLAN AMENDMENT

2000 Bay Area Clean Air Plan Consistency

The proposed amendment would result in an increase in the number of housing units allowed under buildout of the General Plan and, thus, would increase population. The source of information on household and employment used in the 2000 Bay Area Clean Air Plan (CAP) was the population projections described in the Association of Bay Area Governments (ABAG) *Projections 1998*. The most recently adopted population projections for San Jose are described in ABAG's *Projections 2003*. The land use designation of High Density Residential (25-50 du's/ac) would allow development of between 215 and 430 units on the 8.6-net-acre site, or a population increase in San Jose of between 658 and 1,316 people, assuming 3.06 persons per SFA dwelling unit. This minor increase in San Jose's population, in combination with recently approved and other currently pending projects, would exceed the assumptions of *Projections 1998*, upon which the 2000 CAP was based, but would be consistent with the current *Projections 2003* population assumptions.

The site location in the north central part of the City, within the Airport employment subarea, would place housing near jobs, reducing the overall distance for commuting, consistent with CAP goals and policies to reduce commute travel time and distances. The in-commute of vehicles contributes to the regional air quality problems, and so placing dwelling units near existing and planned jobs would be expected to result in incremental benefits to regional air quality. Although there is no assurance the residents on the site would move here from more distant locations and work in nearby jobs, providing the opportunity to do so is consistent with CAP policies. The project, however, would also slightly worsen the City's jobs/housing imbalance, with has regional air quality implications.

CAP policies also encourage housing that has good access to mass transit, or the imminent construction of planned transit facilities, as transit accessibility is a factor that would encourage use of alternate transportation for commuting. Transit service is available on The Alameda; and there are neighborhood serving commercial establishments, to which residents might walk or bicycle, on The Alameda.

The implementation of the following General Plan Air Quality and Hazards policies would reduce any potential air quality impacts of future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Air Quality Policy No. 1

- The City should take into consideration the cumulative air quality impacts from proposed developments and should establish and enforce appropriate land uses and regulations to reduce air pollution consistent with the region's Clean Air Plan and State law.

Air Quality Policy No. 2

- Expansion and improvement of public transportation services and facilities should be promoted, where appropriate, to both encourage energy conservation and reduce air pollution.

Hazards Policy No. 1

- Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level.

PD ZONING

Project Impacts

For most types of development projects, motor vehicles traveling to and from the project represent the primary source of air pollutant emissions associated with the project. The BAAQMD has established thresholds of significance for these indirect impacts from projects on local and regional air quality. An air quality analysis is recommended when vehicle emissions of carbon monoxide (CO) exceed 550 lbs/day; and if a project generates over 80 lbs/day of reactive organic gases (ROG), nitrogen oxides (NO_x) or suspended particulate matter (PM_{10}), it would have a significant air quality impact. The District has also developed sizes or activity levels for various types of land use, using default values, that would exceed the threshold of significance for NO_x (80 lbs/day). For single family residential, the size is 320 units. The proposed 220-unit project is below that level and, therefore, would not have a significant air quality impact.

Odors

The project would not generate objectionable odors or place sensitive receptors adjacent to a use that generates odors (i.e., landfill, composting, etc.).

Temporary Construction Air Quality

Project construction would produce short-term fugitive dust generated as a result of soil movement and site preparation. Construction would cause dust emissions that could have a significant temporary impact on local air quality. Fugitive dust emissions would be associated with site preparation activities, such as excavation and grading, and building construction. Dust emissions would vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions. Particulates generated by construction are recognized, but small, contributing sources to regional air quality. While it is a potential impact, construction dust emissions can be mitigated by dust control and suppression practices that are appropriate for the project and level of activity.

Project Measures

Temporary Construction Air Quality

- The following construction practices shall be implemented during all phases of construction for the proposed project: 1) water all active construction areas at least twice daily or as often as needed to control dust emissions; 2) cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard; 3) apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas during construction of the site; 4) sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust; 5) sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material; 6) hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); 7) enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust; 8) limit traffic speeds on unpaved roads to 15 mph; 9) install sandbags or other erosion control measures to prevent silt runoff to public roadways; and 10) replant vegetation in disturbed areas as quickly as possible.

4. BIOLOGICAL RESOURCES

Barrie D. Coate and Associates conducted a tree survey that is included in the Technical Appendix.

SETTING

Vegetation

The project site is presently developed except for some trees along the Campbell Avenue frontage and a low herbaceous ground cover in the southeasterly portion. There are no designated Heritage Trees on the site, and no rare or endangered plant species are known to inhabit the site.

Trees

A detailed tree survey of all trees on the site was conducted. A total of 37 trees, ranging in diameter from 6 inches to 36 inches, were tagged and evaluated. Eleven (11) of these trees are located on the neighboring property to the west of the project site and have the potential of becoming exposed to some level of damage by construction. Twenty-three (23) onsite trees exceed 18 inches in diameter and come under the review of the City's Tree Ordinance. The approximate locations of the trees are shown on the following Tree Locations map, and their description by type, size and general condition is given in the following table. Ordinance-sized trees are shown in **bold** in the table. Photographs of each Ordinance-sized tree also follow.

General conditions of the trees were determined using a rating system for individual tree health and structure conditions, by assigning values for these categories from one to five, with values of one being the best rating and values of five being the worst. The health and structure values for each tree were then totaled to obtain a general condition rating. Trees with combined values of seven and above were rated as "poor", values of five to six were rated as "fair", and values of two to four were rated as "fine/good". There are a couple of exceptions to these values, i.e., Nos. 1 and 23.

Riparian Corridor Habitat

Riparian corridor habitat, i.e., vegetation occurring along the banks of a waterway, is not located on or within 300 feet of the project site. The project would not be constructed within 100 feet of riparian corridor habitat (within 100 feet of the top of bank or edge of riparian vegetation of any waterway).

Wildlife

The project site contains disturbed (ruderal) habitat. Wildlife typically associated with this habitat type include birds, reptiles, and small mammals. No rare or endangered animal species are known to inhabit the site. The site does not contain any known important wildlife breeding, nesting or feeding areas.

INSERT TREE LOCATIONS MAP HERE
(FIGURE 20)

8 1/2 X 11

Table 3. Existing Trees

No.	Scientific Name	Common Name	Dia. * *(in.)*	Ht. *(ft.)*	Gen. Cond.	To Be Removed
Onsite						
1.	***Cedrus atlantica***	**Blue Atlas Cedar**	**34**	**65**	**Fine**	**X**
2.	***Cedrus atlantica***	**Blue Atlas Cedar**	**35**	**55**	**Good**	**X**
3.	***Sequoia sempervirens***	**Coast Redwood**	**30**	**55**	**Good**	**X**
4.	***Sequoia sempervirens***	**Coast Redwood**	**30**	**75**	**Good**	**X**
5.	***Sequoia sempervirens***	**Coast Redwood**	**28**	**75**	**Good**	**X**
6.	***Sequoia sempervirens***	**Coast Redwood**	**27**	**75**	**Good**	**X**
7.	***Sequoia sempervirens***	**Coast Redwood**	**26**	**75**	**Good**	**X**
8.	***Sequoia sempervirens***	**Coast Redwood**	**29**	**75**	**Good**	**X**
9.	***Schinus molle***	**California Pepper**	**27**	**30**	**Good**	**X**
10.	***Fraxinus uhdei***	**Evergreen Ash**	**23**	**25**	**Fine**	**X**
11.	***Fraxinus uhdei***	**Evergreen Ash**	**24**	**25**	**Fine**	**X**
12.	***Fraxinus uhdei***	**Evergreen Ash**	**27**	**25**	**Fine**	**X**
13.	***Fraxinus uhdei***	**Evergreen Ash**	**23**	**30**	**Fine**	**X**
14.	***Fraxinus uhdei***	**Evergreen Ash**	**34**	**30**	**Fine**	**X**
15.	***Fraxinus uhdei***	**Evergreen Ash**	**25**	**25**	**Fine**	**X**
16.	***Fraxinus uhdei***	**Evergreen Ash**	**26**	**20**	**Fine**	**X**
17.	***Fraxinus uhdei***	**Evergreen Ash**	**26**	**25**	**Fine**	**X**
18.	***Fraxinus uhdei***	**Evergreen Ash**	**21**	**20**	**Fine**	**X**
19.	***Fraxinus uhdei***	**Evergreen Ash**	**28**	**20**	**Fine**	**X**
20.	***Fraxinus uhdei***	**Evergreen Ash**	**20**	**20**	**Fine**	**X**
21.	***Fraxinus uhdei***	**Evergreen Ash**	**36**	**25**	**Fine**	**X**
22.	***Fraxinus uhdei***	**Evergreen Ash**	**32**	**25**	**Fine**	**X**
23.	*Fraxinus uhdei*	Evergreen Ash	9,7	25	Fine	X
24.	***Fraxinus uhdei***	**Evergreen Ash**	**27**	**25**	**Fine**	**X**
36.	*Pyrus kawakami*	Evergreen Pear	9	20	Good	X
37.	*Pyrus kawakami*	Evergreen Pear	9	20	Good	X
Offsite						
25.	*Sequoia sempervirens*	Coast Redwood	23	25	Fine	
26.	*Sequoia sempervirens*	Coast Redwood	25	55	Good	
27.	*Sequoia sempervirens*	Coast Redwood	22	55	Good	
28.	*Liquidambar styraciflua*	American Sweet Gum	14	35	Good	
29.	*Liquidambar styraciflua*	American Sweet Gum	10	20	Good	
30.	*Liquidambar styraciflua*	American Sweet Gum	10	20	Good	
31.	*Liquidambar styraciflua*	American Sweet Gum	6	15	Good	
32.	*Liquidambar styraciflua*	American Sweet Gum	8	25	Good	
33.	*Liquidambar styraciflua*	American Sweet Gum	10	30	Good	
34.	*Liquidambar styraciflua*	American Sweet Gum	10	25	Good	
35.	*Liquidambar styraciflua*	American Sweet Gum	11	30	Good	

Note: Some trees have multiple stems from a single trunk. Onsite Ordinance-sized trees are shown in **bold**.

* Diameter at 2 feet above ground.

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 21)

8 1/2 X 11

COLOR

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 22)

8 1/2 X 11

COLOR

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 23)

8 1/2 X 11

COLOR

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 24)

8 1/2 X 11

COLOR

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 25)

8 1/2 X 11

COLOR

INSERT (PHOTOGRAPHS OF) ORDINANCE-SIZED TREES HERE
(FIGURE 26)

8 1/2 X 11

COLOR

Raptors

All raptors (i.e., eagles, hawks and owls) and their nests are protected under both Federal and State regulations. The Federal Migratory Bird Treaty Act prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds and bird nests and eggs. Birds of prey are protected in California under the State Fish and Game Code. Section 3503.5 states that it is "*unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto*." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFG. Any loss of fertile eggs or nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal, site grading, etc., that disturb a nesting raptor onsite or immediately adjacent to the site constitute a significant impact.

The project site contains trees that may provide suitable habitat for tree-nesting raptors; however, no raptor nests are currently known to exist on the site. The site does not provide suitable habitat for burrowing owls.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
4. BIOLOGICAL RESOURCES. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		**X**			25,59
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				**X**	25,70
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means?				**X**	25
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				**X**	25
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		**X**			29,37,91
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				**X**	25,29

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Urban Design; Historic, Archaeological and Cultural Resources; Species of Concern; and Urban Forest policies would reduce any potential impacts of future high density residential development on biological resources to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Urban Design Policy No. 2

- Private development should include adequate landscaped areas. Landscaped areas should utilize water efficient plant materials and irrigation systems. Energy conservation techniques

such as vegetative cooling and wind shielding should also be utilized. All landscaped areas should include provision of ongoing landscape maintenance.

Urban Design Policy No. 15

- In order to realize the goal of providing street trees along all residential streets, the City should:
  - Require the planting and maintenance of approved varieties of street trees as a condition of development.

Urban Design Policy No. 24

- New development projects should include the preservation of ordinance-sized and other significant trees. Any adverse affect on the health and longevity of such trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement.

Historic, Archaeological and Cultural Resources Policy No. 10

- Heritage trees should be maintained and protected in a healthy state. The heritage tree list, identifying trees of special significance to the community, should be periodically updated.

Species of Concern Goal

- Preserve habitat suitable for Species of Concern, including threatened and endangered species.

Species of Concern Policy No. 2

- Habitat areas that support Species of Concern should be retained to the greatest extent feasible.

Urban Forest Policy No. 2

- Development projects should include the preservation of ordinance-sized, and other significant trees. Any adverse affect on the health and longevity of native oaks, ordinance sized or other significant trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement. In support of these policies the City should:
  - Continue to implement the Heritage Tree program and the Tree Removal Ordinance.
  - Consider the adoption of Tree Protection Standards and Tree Removal Mitigation Guidelines.

Urban Forest Policy No. 5

- The City should encourage the selection of trees appropriate for a particular urban site. Tree placement should consider energy saving values, nearby powerlines, and root characteristics.

Urban Forest Policy No. 6

- Trees used for new plantings in urban areas should be selected primarily from species with low water requirements.

Urban Forest Policy No. 7

- Where appropriate, trees that benefit urban wildlife species by providing food or cover should be incorporated in urban plantings.

PD ZONING

Trees

There are 26 trees on the project site and 11 trees on the adjacent property to the west, ranging in diameter from 6 to 36 inches. All of the onsite trees are planned to be removed with the project, as indicated by an "X" on the preceding Existing Trees table. Twenty-three (23) of the trees to be removed exceed 18 inches in diameter (56-inch circumference) and come under the review of the City's Tree Ordinance, which requires approval for the removal of any tree with an 18-inch diameter (56-inch circumference) or greater. Street trees would be planted along the public streets. Any tree that is removed would be replaced with the addition of a new tree(s) at the following ratios:

≥18-inch diameter	4	24-inch box
12 to 17-inch diameter	2	24-inch box
<12-inch diameter	1	15-gallon

If sufficient area is not available onsite within the project for all of the replacement trees, a contribution would be made to Our City Forest or San Jose Beautiful where the funds would be used to plant trees within the City.

Wildlife

The project requires the removal of all of the trees and vegetation on the site. The birds and small mammals would diminish during the initial construction, but as the urban landscaping matures, birds that have adapted to the urban environment would return.

Raptors

The project site provides potentially suitable habitat for tree-nesting raptors. The site does not currently contain any known raptor nests; however, pre-construction surveys for nesting raptors should be conducted.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Trees

- Approval shall be obtained with the PD Permit for the removal of any tree with a diameter of 18 inches (56-inch circumference) or greater; and any such tree that is removed shall be replaced with a tree(s) as required by the San Jose Tree Ordinance.

Project Measures

Trees

- All non-orchard trees that are to be removed shall be replaced at the following ratios:
    - Each tree less than 12 inches in diameter to be removed shall be replaced with one 15-gallon tree.

- Each tree 12 inches to 17 inches in diameter to be removed shall be replaced with two 24-inch box trees.
- Trees 18 inches in diameter or greater shall not be removed unless a Tree Removal Permit has been approved for the removal of such trees; and each tree 18 inches in diameter or greater to be removed shall be replaced with four 24-inch box trees.

The species and exact number of trees to be planted on the site shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.

- In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented at the project stage:
  - An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Planning Division.
  - A donation of $300.00 per mitigation tree shall be made to Our City Forest or San Jose Beautiful for in-lieu offsite tree planting in the community. These funds shall be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for offsite tree planting shall be provided to the Director of the Planning Division prior to issuance of a grading permit.

Active Raptor Nests

- If possible, construction should be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a construction-free buffer zone (typically 250 feet) around the nest. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading or building permit.

5. CULTURAL RESOURCES

SETTING

Prehistoric Resources

The project site is not within a potential archaeological resource zone as outlined on the maps on file at the City of San Jose Planning Division. There are no historical or cultural sites on the project site, nor does the site have any natural features of significant scenic value or with rare or unique characteristics.

Historic Resources

There is one existing structure located on the project site, which was constructed less than 50 years ago. This building is not listed as a City Landmark, Candidate City Landmark, or Structure of Merit, and is not listed or determined eligible for listing on the National or California Register of Historic Places.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on cultural resources if it would:

- Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5.
- Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
5. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?				**X**	25,39,40
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		**X**			27,38
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				**X**	27,59
d. Disturb any human remains, including those interred outside of formal cemeteries?		**X**			27

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Historic, Archaeological and Cultural Resources policies would reduce any potential impacts of future high density residential development on cultural resources to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Historic, Archaeological and Cultural Resources Policy No. 1

- Because historically or archaeologically significant sites, structures and districts are irreplaceable resources, their preservation should be a key consideration in the development review process.

Historic, Archaeological and Cultural Resources Policy No. 8

- For proposed development sites which have been identified as archaeologically sensitive, the City should require investigation during the planning process in order to determine whether valuable archaeological remains may be affected by the project and should also require that appropriate mitigation measures be incorporated into the project design.

Historic, Archaeological and Cultural Resources Policy No. 9

- Recognizing that Native American burials may be encountered at unexpected locations, the City should impose a requirement on all development permits and tentative subdivision maps that upon discovery of such burials during construction, development activity will cease until professional archaeological examination and reburial in an appropriate manner is accomplished.

PD ZONING

Prehistoric Resources

The project site is not in a potential archaeological resource zone. There is no basis to warrant subsurface investigations or monitoring during construction at this time; however, there is still a possibility that unknown subsurface cultural resources may exist on the site.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Native Americal Burials

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California: In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified by the developer and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who will attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner

shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

Project Measures

Prehistoric Resources

- Should evidence of prehistoric cultural resources be discovered during construction, work in the immediate area of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Director of the Planning Division.

Native Americal Burials

- Any Native American human remains that are discovered and would be subject to disturbance shall be removed and analyzed, a report shall be prepared, and the remains shall be reburied in consultation and agreement with the Native American Most Likely Descendant designated by the Native American Heritage Commission.

6. GEOLOGY AND SOILS

Lowney Associates conducted a geotechnical investigation and a supplemental liquefaction evaluation, both of which are included in the Technical Appendix.

SETTING

Topography

The project site has a uniform northeasterly slope of approximately 0.5 percent. Elevations on the site range from approximately 70 feet along Campbell Avenue to approximately 67 feet at the northeasterly boundary. There are no significant topographical features on the site.

Geology

The project site is underlain by Quaternary alluvium (Qal), which consists of unconsolidated to weakly consolidated silt, sand and gravel. Quaternary alluvium includes Holocene and late Pleistocene alluvium and minor amounts of beach and dune sand and marine terrace deposits.

Geologic Hazard Zone

The project site is not located in a geologic hazard zone as mapped by the City of San Jose in accordance with the Geologic Hazards Ordinance.

Soils

The project site is underlain by the alluvial soils of the Sunnyvale-Castro-Clear Lake association as classified by the United States Department of Agriculture, Soil Conservation Service. Campbell silty clay loam (Ca) and Sunnyvale silty clay, drained (Sv) in the extreme northerly corner are the specific soil types identified at the site.

Campbell silty clay loam is characterized by a dark gray, granular, hard, mildly alkaline surface layer approximately 22 to 28 inches thick; moderately good natural drainage; moderately slow subsoil permeability; very slow surface runoff; no erosion hazard; high inherent fertility (Class I); and a moderate shrink/swell capacity.

Sunnyvale silty clay, drained is characterized by a dark gray, granular, hard, slightly calcareous surface layer approximately 11 to 18 inches thick; moderately good natural drainage; slow subsoil permeability; ponded surface runoff; no erosion hazard; high inherent fertility (Class II); and a high shrink/swell capacity.

The site is mapped within a hazard zone for liquefaction on the City's *Geologic/Seismic Hazard Zones* maps. According to Cooper-Clark and Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a moderately high liquefaction potential, weak soil layers and lenses occurring at random locations and depths, highly expansive soils, no erosion potential, and is not susceptible to landslides. The liquefaction potential is considered to warrant further geologic study at the environmental review stage. The remainder of the soils conditions can be

managed using standard engineering measures and do not require further geologic study at this time as part of the environmental review process, but may require further analysis prior to the issuance of a grading or building permit.

Faulting

There are no identified earthquake faults mapped on the site, and the site is not mapped within a designated Alquist-Priolo Earthquake Fault Zone (formerly Special Studies Zone) or within a City of San Jose Fault Hazard Zone. The nearest active fault zones are the Hayward and Calaveras faults, which are mapped approximately 7.0 and 9.5 miles respectively to the northeast, and the San Andreas Fault, which is mapped approximately 11.0 miles to the southwest.

Geotechnical Investigation

A design-level geotechnical investigation was conducted to evaluate the subsurface conditions at the site and to provide geotechnical recommendations for design of the proposed development. The investigation included exploration of subsurface conditions by drilling six borings and retrieving soil samples for observation and laboratory testing; evaluation of the physical and engineering properties of the subsurface soils by visually classifying the samples and performing various laboratory tests on selected samples; engineering analysis to evaluate site earthwork, building foundations, slabs-on-grade, and pavements; and preparation of conclusions and recommendations.

Subsurface Exploration Program

The subsurface exploration was performed on March 1 and 2, 2004. Six exploratory borings were drilled to depths of approximately 15 to 45 feet. The locations and logs of the borings are included in the report in the Technical Appendix.

The borings in pavement areas encountered 4 to 8 inches of asphalt concrete underlain by up to 3 inches of aggregate base. The boring in the undeveloped portion of the site encountered approximately 8 inches of organic material consisting primarily of grass and wood chips. The boring inside the warehouse encountered two concrete slabs 3 and 5 inches thick, respectively, separated by an inch of sand. Beneath the floor slabs, approximately 5 feet of clayey gravel fill was encountered.

Beneath the pavements and surficial fills, the borings encountered alluvial soils to 45 feet, the maximum depth explored. The alluvium consisted of stiff to very stiff, moderately to highly plastic clays with interbedded zones of clayey sand and gravel. Several thin, discontinuous zones of clayey sand were encountered; the clayey sands were generally medium dense to very dense and contained a significant amount of clayey fines.

Free ground water was encountered during drilling in all of the exploratory borings at depths ranging from approximately 10.5 to 24 feet. One boring recorded a groundwater level at a depth of 7.5 feet approximately two hours after drilling. Groundwater has been measured as high as 9 feet below ground surface in the area within the last 50 years.

Laboratory Testing Program

The laboratory testing program was directed toward a quantitative and qualitative evaluation of the physical and mechanical properties of the soils underlying the site. Moisture content, dry density, Plasticity Index (PI), washed sieve analyses and sieve and hydrometer analysis tests were performed on selected samples. The results of the tests are included in the report in the Technical Appendix. The PI test, performed on two samples at a depth of 2 feet, resulted in PIs of 52, indicating a very high expansion potential.

Investigative Conclusions

The primary geologic and geotechnical concerns affecting site development are the presence of highly expansive soils blanketing the site, the presence of undocumented fills beneath the existing building, and the potentially liquefaction-induced total and differential settlement. From a geotechnical engineering viewpoint, the proposed development may be constructed as planned, provided design and construction are performed in accordance with the report recommendations.

Supplemental Liquefaction Evaluation

A supplemental liquefaction investigation was conducted to further evaluate the liquefaction potential and to provide recommendations for mitigation of potential impacts of liquefaction on the proposed improvements, if needed. The investigation included supplemental subsurface exploration consisting of three cone penetration tests (CPTs); engineering analysis to evaluate the liquefaction potential of the soils; and preparation of conclusions and recommendations. The supplemental subsurface exploration was performed on March 10, 2004. Three cone penetration test soundings were advanced to depths of 50 feet. The locations and logs of the CPTs are included in the report in the Technical Appendix.

Soil liquefaction is a phenomenon in which saturated, cohesionless soil layers located close to the ground surface lose strength during cyclic loading, such as imposed by earthquakes. During the loss of strength, the soil acquires a “mobility” sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. The site is covered by at least 17 feet of stiff to very stiff clays. Below a depth of 17 feet, several sand and gravel layers were encountered; the sand and gravel layers were generally medium dense to very dense, contained varying amounts of fine-grained material, and appeared to be discontinuous across the site.

The sand and silt layers located below the 7.5-foot-deep groundwater depth were evaluated to assess liquefaction potential and the effects liquefaction may have on the proposed site improvements, as detailed in the report in the Technical Appendix. The analyses indicate that several silt and sand layers theoretically can liquefy, resulting in about 1.0 to 1.5 inches of total settlement. Liquefaction-induced differential settlements are estimated to be less than 0.5 to 0.75 inch across building footprints.

In order for liquefaction-induced sand boils or fissures to occur, the pore water pressure induced within the liquefied strata must exert a large enough force to break through the surface layer. There are approximately 8 feet of non-liquefiable material overlying the liquefiable layers at the site, which is considered to be enough of a cap of non-liquefiable material to prevent ground rupture at the site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant geology and soils impact if it would:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
  1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.).
  2) Strong seismic ground shaking.
  3) Seismic-related ground failure, including liquefaction.
  4) Landslides.
- Result in substantial soil erosion or the loss of topsoil.
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
6. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: 1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)				**X**	42,43, 46,47,91
2) Strong seismic ground shaking?		**X**			27,45,91
3) Seismic-related ground failure, including liquefaction?		**X**			45,91,92
4) Landslides?				**X**	25,43,45
b. Result in substantial soil erosion or the loss of topsoil?		**X**			44,45
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		**X**			45,91
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		**X**			44,45,91
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				**X**	28

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Hazards; Soil and Geologic Conditions; and Earthquakes policies would reduce any potential geology and soils impacts on future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Hazards Policy No. 1

- Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level.

Hazards Policy No. 2

- Levels of "acceptable exposure to risk" established for land uses and structures based on descriptions of land use groups and risk exposure levels are outlined in Figure 15, "Acceptable Exposure to Risk Related to Various Land Uses" (see copy in the Appendix), and should be considered in the development review process.

Soil and Geologic Conditions Policy No. 1

- The City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion and sedimentation in order to determine if these hazards can be adequately mitigated.

Soil and Geologic Conditions Policy No. 3

- In areas susceptible to erosion, appropriate control measures should be required in conjunction with proposed development.

Soil and Geologic Conditions Policy No. 6

- Development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.

Soil and Geologic Conditions Policy No. 8

- Development proposed within areas of potential geological hazards should not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties.

Earthquakes Policy No. 1

- The City should require that all new buildings be designed and constructed to resist stresses produced by earthquakes.

Earthquakes Policy No. 3

- The City should only approve new development in areas of identified seismic hazard if such hazard can be appropriately mitigated.

Earthquakes Policy No. 5

- The City should continue to require geotechnical studies for development proposals; such studies should determine the actual extent of seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.

PD ZONING

Expansive Soils

The surface soils on the site pose a hazard to building foundations because of their high shrink/swell potential. Mitigation measures for this problem include controlling and directing drainage away from structures and pavements, and the use of special foundations.

Undocumented Fill

Undocumented fill was encountered beneath the existing building, most likely placed to raise the building footprint. Although the existing fill appears to be relatively dense, data regarding the original compaction and lateral extent of the fill were not available; therefore, the existing

fill should be excavated and recompacted as engineered fill. If any other undocumented fills are encountered during construction, they should be removed and, if suitable, reused as engineered fill.

Erosion

Development of the project site may subject the soils to accelerated erosion. In order to minimize erosion, erosion control measures such as those described in the Association of Bay Area Governments (ABAG) *Manual of Standards for Erosion & Sediment Control Measures* would be incorporated into the project.

Ground Rupture

Ground rupture (surface faulting) tends to occur along lines of previous faulting. As the site is not located within a State of California Earthquake Fault Hazard Zone and there are no known active faults on the site, the potential for ground rupture due to an earthquake is low.

Seismic Shaking

The maximum seismic event occurring on the site would probably be from effects originating from the Hayward, Calaveras, or San Andreas fault systems. Ground shaking effects can be expected in the area during a major earthquake originating along any of the active faults within the Bay Area. At present, it is not possible to predict when or where movement will occur on these faults. It must be assumed, however, that movement along one or more of these faults will result in a moderate or major earthquake during the lifetime of any construction on this site. The effects on development would depend on the distance to the earthquake epicenter, duration, magnitude of shaking, design and quality of construction, and geologic character of materials underlying foundations.

The maximum credible earthquake, which is defined as *"the maximum earthquake that appears capable of occurring under the presently known framework"*, for the San Andreas Fault ranges from magnitude 8.0 to 8.3; and from magnitude 7.0 to 7.5 for either the Hayward or Calaveras Faults. The maximum probable earthquake, which is defined as *"the maximum earthquake that is likely to occur during a 100-year interval"*, for the San Andreas Fault ranges from magnitude 7.5 to 8.5; from magnitude 6.75 to 7.5 for the Hayward Fault; and from magnitude 6.5 to 7.0 for the Calaveras Fault.

Structural damage from ground shaking is caused by the transmission of earthquake vibrations from the ground into the structure. Ground shaking is apparently the only significant threat to structures built on the site; however, it is important to note that well-designed and constructed structures that take into account the ground response of the soil or rock in their design usually exhibit minor damage during earthquake shaking.

The project would be designed and constructed to ensure structural stability in accordance with the earthquake design regulations of the Uniform Building Code, which are intended to reduce seismic risks to an acceptable level.

Secondary Seismic Effects

Liquefaction / Differential Settlement

The site is located within a State of California Seismic Hazard Zone for liquefaction. Based on the geotechnical investigation and supplemental liquefaction evaluation, the conditions at this site are such that the liquefaction potential is considered to be moderate. However, liquefaction-induced settlement would be relatively minor and would occur in localized areas due to the discontinuous nature of the underlying sand layers. There appears to be enough of a cap to prevent ground surface rupture (sand boils). Total liquefaction-induced settlements are estimated to be on the order of 1.0 to 1.5 inches. Liquefaction-induced differential settlements are estimated to be less than 0.5 to 0.75 inch across building footprints. The effects of localized differential settlement can be mitigated by supporting the proposed residential structures on rigid mat foundations.

Other Secondary Seismic Effects

Based on the topographic and lithologic data, the risk of lateral spreading, regional subsidence or uplift, landslides, tsunamis or seiches is considered low at the site.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Seismic Shaking

- The project shall be designed and constructed to ensure structural stability as required by the earthquake design regulations of the Uniform Building Code.

Project Measures

General

- All earthwork and foundation plans and specifications shall comply with the recommendations of the geotechnical investigation and supplemental liquefaction evaluation by Lowney Associates. The geotechnical report lists approximately 25 recommendations that are included in the project for earthwork, drainage, foundations, pavements and utility trenches, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below.

Expansive Soils

- Special foundations shall be utilized in any residences subjected to expansive soils movement.

- Slabs-on-grade shall have sufficient reinforcement and shall be supported on a layer of non-expansive fill.

- Drainage shall be controlled and directed away from all structures and pavements.

Undocumented Fill

- Any undocumented fill encountered during construction, including beneath the existing building, shall be over-excavated and the bottom of the excavation scarified and recompacted prior to the placement of any new engineered fill; and, if suitable, the undocumented fill shall be reused as engineered fill.

Liquefaction / Differential Settlement

- Post-tensioned mat foundations bearing on prepared natural soil or compacted fill shall be utilized.

- The project structural engineer shall check that the mat foundations can tolerate the estimated total and differential settlements, and interpolate or extrapolate the deflection criteria as necessary.

Erosion

- A City approved Erosion Control Plan shall be developed and implemented with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

7. HAZARDS AND HAZARDOUS MATERIALS

Lowney Associates conducted a Phase I environmental site assessment and soil and groundwater quality evaluations, all of which are included in the Technical Appendix.

SETTING

Phase I Environmental Site Assessment

A Phase I environmental site assessment was conducted to document recognized environmental conditions at the site related to current and historic use of hazardous substances and petroleum products. The term "recognized environmental conditions" means the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate a significant release or significant threat of a release into the ground, groundwater, or surface water. The assessment included a reconnaissance of the site and limited drive-by survey of adjacent properties for readily observable indication of current or historic activities that have or could significantly impact the site; site history research (a review of readily available documents, maps and aerial photographs, and interviews with knowledgeable persons); and regulatory agency review to evaluate potential impacts to the site from reported contamination incidents at nearby facilities.

Site Reconnaissance

The site was visited on March 4, 2004. At the time of the site visit, the property was developed with an asphalt paved parking area that parallels the southwesterly portion of the site and a commercial building to the northeast of the parking area. The commercial building is segregated into separate commercial spaces; some of the spaces were vacant and the others were utilized primarily for storage of retail products by American Tire Distributors (ATD).

ATD's storage and distribution center for tires and automotive parts associated with wheels occupied the 1132, 1136, 1138 and 1140 Campbell Avenue addresses at the site building. ADT stores retail equipment that would typically be used for automotive garages servicing automobile wheels. Tires were stored directly on the building concrete floor and on shelves that extended to the ceiling; automotive parts were generally stored either on wood pallets or on shelves. An approximately 100-gallon aboveground diesel storage tank was located next to the generator placed in front of the 1140 Campbell Avenue address.

The 1120, 1124, 1128 and 1130 Campbell Avenue portion of the site was vacant; the 1130 Campbell Avenue building was detached from the main building. No visible signs of stored equipment or current use were observed. No transformers were observed. The remainder of what appeared to be an abandoned wood air duct or ventilation hood was located at the 1124 Campbell Avenue address.

The easterly portion of the site, along Newhall Street, was a vacant lot with what appeared to be remnants of a former building (999 Newhall Street). An apparent fill slope, that parallels the

trend of the eastern portion of the commercial building, was located midway in this area; and some trash and concrete debris, possibly associated with demolished portions of the building foundation, were scattered around. Two concrete sidewalks from Newhall Street toward the direction of the commercial building were observed.

The results of the drive-by survey of adjacent land uses are included in the report in the Technical Appendix. Surrounding uses included residential, commercial, industrial, vacant, and railroad tracks.

Historical Review

Historical aerial photographs of the site and vicinity from 1939 through 1993, historic Sanborn fire insurance maps from 1917 through 1961, and USGS topographic maps from 1953 through 1980 were reviewed. The earliest (1917) Sanborn map and (1939) aerial photograph show the site as being undeveloped (an open lot with scattered trees). The 1950 Sanborn map shows the site developed with a building; the eastern portion of the building is depicted as occupied by a cannery operated by American Home Foods, Inc. All of the USGS topographic maps show a rectangular building with dimensions that do not change shape. The 1961 and 1966 Sanborn maps depict a building with a concrete floor and reinforced concrete wood posts. On the 1950, 1961 and 1966 Sanborn maps, a boiler room was shown located in a separate building at the current 1130 Campbell Avenue address; a note on the 1950 map states that the fuel for the boiler is gas or oil. The 1950 through 1993 aerial photographs depict an additional portion or adjacent building to the main commercial building; this additional building section on the eastern side of the existing commercial building appears to have been located where the remnants of a foundation were observed during the site visit.

The site vicinity appeared generally undeveloped on the 1917 Sanborn map. The railroad lines that are located along the northeasterly site boundary are shown on all the Sanborn maps, aerial photographs, and topographic maps. The 1939 aerial photograph shows the first development along the southwesterly and southeasterly areas of the site vicinity; the westerly and northwesterly areas are shown as undeveloped. The 1950 Sanborn map shows mixed residential and commercial development along the southwesterly and southeasterly boundaries. Commercial developments include a bottling company, used car lot, and furniture storage building. The 1953 USGS topographic map depicts a large building to the west of the site. The 1961 and 1966 Sanborn maps show a building in that approximate location as a store fixture factory; a boiler room and spray-painting room is indicated on the Sanborn map to be within this building. The 1961 and 1966 Sanborn maps also depict another large commercial building further to the west of the fixture factory; this building is indicated as a paper warehouse. Other large commercial buildings depicted to the northwest include a glass and bottle company, food packaging company, and refrigerated food services company. The 1965 through 1993 aerial photographs show buildings with generally the same dimensions and locations as those depicted in the 1966 Sanborn map.

Interviews with the Operations Manager of American Tire Distributors were conducted for general information regarding past and current site usage. Mr. Dave Barry, who worked at ATD for approximately 10 years, indicated that a generator with an approximately 100-gallon diesel storage tank is located approximately in front of the 1140 Campbell Avenue portion of the building. Transformers are also located onsite; and a pump with an associated firehouse for a sprinkler system was installed a few years ago. Mr. Barry was not aware of any other hazardous materials storage or use.

Regulatory Agency Review

Readily available City and County records were reviewed to obtain information on hazardous materials usage and storage at the site. Various owners and tenants are associated with the site, including Safeway Co., a trucking company, car repair shops, Waste Management of Santa Clara County (WMSCC) / Recycle America, and American Tire Distributors, as described in the report in the Technical Appendix. Transformers were indicated as installed on the site in 1969 and 1986. A flammable liquid application was submitted in 1974 for the installation of two (10,000-gallon and 5,000-gallon) underground storage tanks (USTs) in the southeasterly portion of the site; an additional 6,000-gallon tank was also noted. WMSCC is documented to have had an aboveground storage tank (AST) of butane and a 1,000-gallon AST to hold waste oil in the northwesterly portion of the site; and to have been a hazardous waste generator of up to 120 gallons of waste oil a week. A 1993 permit indicates that Recycle America generated less than 5 tons of hazardous waste per year. A 2002 Hazardous Materials Management Plan submitted by ADT indicates the storage of 185 gallons of diesel fuel onsite.

A regulatory agency database report was obtained and reviewed to help establish whether contamination incidents have been reported in the site vicinity. The potential for site impact was evaluated based on information regarding the type of release, current case status, and distance and direction from the site. Several nearby facilities are listed in the Leaking Underground Storage Tank (LUST) database; the facilities are located more than 1/8 mile from the site, with the exception of an adjacent facility (1181 Campbell Avenue) that is located cross-gradient from the site. This site is unlikely to have significantly impacted the project site. In addition, the FMC Plant #2 and #7 site at 1125 Coleman Avenue, which is likely located downgradient from the project site, is listed as a site with volatile organic compound (VOC)-impacted groundwater.

Soil and Groundwater Quality Evaluation

The northeasterly site boundary is located adjacent to offsite railroad tracks; assorted chemicals historically have been used for dust suppression and weed control along rail lines. A 1974 approved permit application for the installation of a 5,000-gallon UST and a 10,000-gallon UST was reviewed; and a boiler was reported at the 999 Newhall Street location and an apparent boiler room was located at 1130 Campbell Avenue, the fuel source for which was listed as natural gas or oil. The FMC Plant at 1125 Coleman Avenue (across the railroad tracks from the site) is listed as a site with VOC-impaired groundwater; in addition, the site is located in a

commercial/industrial area with other reported chemical releases to groundwater. Potential impacts to onsite soil and groundwater quality were evaluated by the drilling and logging of 7 exploratory borings, and the collection of soil and groundwater samples for laboratory analysis, and by the determination of the presence of underground metallic objects using geophysical techniques.

Seven exploratory borings were drilled on the site on March 19, 2004. Three of the borings were drilled to approximate depths of 4 feet below ground surface (bgs), while the remaining four borings were drilled to approximate depths of 16 to 20 feet bgs. Five borings were drilled near the northeasterly site boundary to evaluate the near-surface soil for potential impacts related to the offsite railroad tracks, two of which were deepened for collection of groundwater samples to evaluate potential impacts from offsite sources and general onsite groundwater quality. One boring was drilled to evaluate groundwater quality in the southeasterly portion of the site (999 Newhall Street) where a boiler and possible USTs were located; and one boring was drilled to evaluate groundwater quality in the area of the former boiler room at 1130 Campbell Avenue. Groundwater was encountered at approximate depths of 11.5 to 15.5 feet bgs. The approximate locations of the exploratory borings are shown in the following Sampling Locations exhibit, and logs of the borings are included in the report in the Technical Appendix.

Soil Quality Analysis

Soil samples were collected from the borings along the railroad tracks at approximate depths of surface to 0.5 feet, 1.5 to 2.0 feet, and 3.5 to 4.0 feet. The collected soil was evaluated for suspect soil (odors, discoloration, etc.); no suspect soil was observed. The samples from surface to 0.5 feet were submitted for laboratory analysis; the deeper samples were properly stored for future analysis if needed to evaluate the vertical extent of impacted soil. Five soil samples from the area adjacent to the railroad tracks were analyzed for organochlorine pesticides, CAM 17 metals, polychlorinated biphenyls (PCBs), polyaromatic hydrocarbons (PAHs), and asbestos; these analyses were selected to help evaluate potential impacts from the adjacent railroad track area. The laboratory test results are included in the report in the Technical Appendix. The laboratory analysis of the five near-surface soil samples adjacent to the railroad tracks did not detect PAHs or PCBs above the California Regional Water Quality Control Board (CRWQCB) Environmental Screening Levels (ESLs). Organochlorine pesticides also were not detected above ESLs, except for 0.0027 ppm of dieldrin detected in the boring at the easterly corner at Newhall Street. The ESL for dieldrin is 0.0025 ppm. The ESL associated with direct exposure to dieldrin is 0.03 ppm; this direct exposure ESL is not exceeded and is a better indicator of potential health risks in a residential setting. Metal concentrations detected in onsite soil appeared to be consistent with typical background concentrations, with the exception of arsenic in three of the borings (15 to 28 ppm). Naturally occurring arsenic concentrations for Northern Santa Clara County soils are generally less than 10 ppm.

INSERT SAMPLING LOCATIONS EXHIBIT HERE
(FIGURE 27)

8 1/2 X 11

Groundwater Quality Analysis

Groundwater grab samples were collected from four of the borings to evaluate groundwater quality at the site. The groundwater samples were analyzed for gasoline (TPHg), diesel (TPHd), and motor oil (TPHmo) range petroleum hydrocarbons; benzene, toluene, ethylbenzene and total xylenes (BTEX) and methyl tertiary butyl ether (MTBE); and halogenated VOCs. These analyses were selected to help evaluate general groundwater quality and potential groundwater impact from onsite USTs and the offsite FMC facility. The groundwater samples were passed through a silica gel column prior to the TPHd analysis to help remove non-fuel hydrocarbons. Studies have shown that the silica gel filter does not significantly remove extractable-range petroleum hydrocarbons, including diesel. This is important where the samples are collected from organic rich environments common to the shallow groundwater-bearing zones in the San Francisco Bay Area; these environments contain significant concentrations of naturally-occurring hydrocarbons that can be falsely quantified as diesel. The laboratory test results are included in the report in the Technical Appendix.

No significant levels of petroleum hydrocarbons were detected in groundwater beneath the site. Three VOCs were detected above their respective ESLs in the sample from the northeasterly portion of the site adjacent to the railroad tracks; VOCs in the groundwater samples from the other three borings were either not detected above laboratory reporting limits or below ESLs.

Geophysical Survey

To evaluate whether USTs or other subsurface metallic structures may be present in the southern part of the site, a magnetometer was used to map the vertical magnetic gradient on accessible portions of the site near where a boiler room and/or USTs may have been located, as described in the report in the Technical Appendix. The magnetic gradient is uniform throughout a site free of ferrous metal; metal objects, however, produce magnetic anomalies with characteristic shapes and magnitudes if not masked by overlying or nearby metallic debris. The geophysical survey found a magnetic anomaly in the area of 1130 Campbell Avenue that may be indicative of a UST.

Supplemental Soil and Groundwater Quality Evaluation

Supplemental soil and groundwater quality analyses were conducted on the project site to evaluate the vertical and lateral extent of arsenic in soil along the northeasterly site boundary adjacent to the offsite railroad tracks; the potential health risks from the VOCs detected in the groundwater at one boring along the northeasterly site boundary; and the source of the magnetic anomaly at 1130 Campbell Avenue. The evaluation included the drilling of a total of 12 exploratory borings and the collection of 10 soil samples from near the adjacent railroad tracks, the locations of which are shown on the preceding Sampling Locations exhibit, Figure 27; the collection of soil, soil vapor and groundwater samples for laboratory analysis; and the excavation of one exploratory test pit.

Soil Vapor and Groundwater Analyses – Volatile Organic Compounds

Four exploratory borings were drilled on April 19 and 20, 2004 to approximate depths of 12.5 to 20 feet bgs. Two of the borings were drilled near former borings adjacent to the railroad tracks in the north/northeasterly portion of the site. The more northerly boring was drilled to groundwater for collection of groundwater samples to evaluate potential offsite migration of VOCs at the northerly corner of the property; the other was drilled to a depth of approximately 5 feet for collection of soil vapor samples to evaluate potential soil vapors from the impacted groundwater near that location. The third and fourth borings were drilled at interior areas of 1124 Campbell Avenue and 1136 Campbell Avenue, respectively; they were initially drilled to a depth of approximately 5 feet for collection of soil vapor samples, then drilled to first encountered groundwater for collection of groundwater samples. These soil vapor and groundwater samples were collected at anticipated upgradient locations from the previous boring where VOCs above ESLs were detected in the groundwater.

Soil vapor grab samples were collected from three borings -- one along the northeasterly site boundary adjacent to the offsite railroad tracks and two from inside the building -- to evaluate soil vapor quality at the site. An ambient air sample was also collected. The soil vapor samples were analyzed for VOCs; propane; and oxygen (O_2), carbon dioxide (CO_2), and methane; the analytical results are included in the report in the Technical Appendix. No VOCs or methane were detected above their respective reporting limits. The detected O_2 and CO_2 levels in the ambient air sample were similar to expected atmospheric concentrations. The O_2 levels detected in the soil vapor samples were consistent with atmospheric levels, but CO_2 levels were higher than atmospheric levels. A gel that contained propane was placed near all sample line fittings to provide an indication as to whether infiltration of ambient air had occurred during sampling. Propane was detected in one sample, which was collected from the building interior of 1136 Campbell Avenue.

Groundwater grab samples were collected from three borings -- one from the northerly corner adjacent to the offsite railroad tracks and two from inside the building -- to evaluate groundwater quality at the site. These groundwater samples were analyzed for halogenated VOCs. No VOCs were detected in two of the samples; PCE was detected at a concentration of 5 parts per billion (ppb) in the sample from the building interior of 1136 Campbell Avenue. The analytical results are included in the report in the Technical Appendix.

Former Underground Storage Tank Area -- Hydrocarbons

To evaluate the geophysical anomaly found in March, 2004 in the area of 1130 Campbell Avenue, an exploratory test pit was excavated at that location. An underground storage tank was not encountered during the test pit exploration; however, a section of former piping and impacted soil (oil odor, discoloration) was encountered in the test pit. One soil sample was collected from the suspect soil in the test pit and analyzed for TPHg, TPHd, TPHmo, BTEX, and MTBE. Laboratory analysis of the suspect soil sample detected TPHg (420 ppm), TPHd

(4,600 ppm), and TPHmo (6,000 ppm); low levels of BTEX were also detected. The test pit was backfilled with the excavated soil; one soil sample was collected from stockpiled soil that remained after backfilling to evaluate soil disposal alternatives. No TPHg, TPHmo, or BTEX were detected in the stockpiled soil sample. A low concentration of TPHd (3.1 ppm) was detected. Metal concentrations in the soil appeared to be within typical background concentrations.

Based on the results of the test pit soil sample, eight additional borings were drilled in the area on May 5, 2004 for collection of soil and groundwater samples to evaluate the extent of the hydrocarbon-impacted soil. The test pit soil samples were passed through a silica gel column prior to the TPHd analysis, as previously described. The analytical results are included in the report in the Technical Appendix. None of the tested-for compounds was detected at or above the stated laboratory reporting limit.

Railroad Track Area Soil Quality -- Arsenic

To further evaluate the lateral extent of elevated arsenic concentrations in the areas of previous borings adjacent to the railroad tracks along the northeasterly site boundary, 10 near-surface (approximately surface to 0.5 foot) soil samples were collected on May 4, 2004 in the areas of the borings. Also, deeper samples (approximately 1.5 to 2.0 feet) collected in the area in March, 2004, were analyzed to evaluate the vertical extent of arsenic above typical background concentrations. Arsenic was detected at concentrations from 2.0 ppm to 67 ppm in soil samples between the surface and 2.0 feet. The analytical results are included in the report in the Technical Appendix.

SIGNIFICANCE CRITERIA

The proposed project would have a significant hazards and hazardous materials impact if it would:

- Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.
- Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?		**X**			26,27,28, 93,94,95
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				**X**	28, 93,94,95
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				**X**	27,28, 93,94,95
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				**X**	93
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				**X**	27,61
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				**X**	27,61
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				**X**	27
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				**X**	25, 27,72,73

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Hazards; Soil and Geologic Conditions; Hazardous Materials; and Hazardous Waste Management policies would reduce any potential hazards and hazardous materials impacts on future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Hazards Policy No. 1

- Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level.

Soils and Geologic Conditions Policy No. 9

- Residential development proposed on property formerly used for agricultural or heavy industrial uses should incorporate adequate mitigation/remediation for soils contamination as recommended through the Development Review process.

Hazardous Materials Policy No. 3

- The City should incorporate soil and groundwater contamination analysis within the environmental review process for development proposals. When contamination is present on a site, the City should report this information to the appropriate agencies that regulate the cleanup of toxic contamination.

Hazardous Waste Management Policy No. 9

- Proper storage and disposal of hazardous wastes shall be required to prevent leaks, explosions, fires, or the escape of harmful gases, and to prevent materials from combining to form hazardous substances and wastes.

PD ZONING

Hazardous Materials

Previous tenants (cannery, auto repair shops) engaged in activities that likely required the use of hazardous materials; however, no detailed information concerning their operations was available. An approved permit application for a 5,000-gallon UST and a 10,000-gallon UST was observed in San Jose Fire Department records; however, no permit for the installation or removal of USTs was observed. No significant quantities of hazardous materials were observed used or stored at the site other than diesel fuel in a 100-gallon aboveground storage tank. Chemical storage and use observed involved routine janitorial and/or maintenance supplies; these materials do not appear to pose a significant hazard to the site. The northeasterly site boundary is located adjacent to offsite railroad tracks; assorted chemicals historically have been used for dust suppression and weed control along rail lines. A regulatory agency database search of contamination incidents in the site vicinity revealed a LUST site at an adjacent facility (1181 Campbell Avenue) that is located cross-gradient from the project site and is unlikely to have significantly impacted the site. In addition, the FMC Plant #2 and #5 site at 1125 Coleman Avenue, likely down-gradient from the project site, was listed as a site with VOC-impaired groundwater.

Volatile Organic Compounds

Soil vapor samples were collected from three borings advanced in selected locations in the northeasterly portion of the project site in April, 2004 to evaluate potential soil vapors from VOC-impacted groundwater adjacent to the railroad tracks and from anticipated upgradient locations from the previous borings where VOCs above Environmental Screening Levels were detected. No VOCs above CRWQCB residential ESLs were detected in the soil vapor samples. The concentrations of VOCs detected in the soil vapor do not appear to present a significant risk to future residents.

To aid in evaluating the soil vapor quality, analyses for oxygen and carbon dioxide were performed. The O_2 levels detected in the soil vapor samples were consistent with atmospheric levels, but CO_2 levels were higher than atmospheric levels. This observed increase in CO_2 is likely an indication of subsurface biological activity.

For leak check purposes, a gel that contained propane (a common ingredient/propellant) was placed near all sample line fittings, at the top of the sample rods and at the ground surface around the seal. As with the O_2 and CO_2 measurements, the analytical results for propane provide an indication as to whether infiltration of ambient air has occurred during sampling. Propane was detected in one of the four samples, which was collected from the interior of 1136 Campbell Avenue from generally medium to coarse-grained soil below the building. In coarse-grained soils, a tight seal between the sample drive rods and surrounding soil is difficult to achieve and is a possible cause of the detected propane.

Groundwater grab samples were collected from three borings advanced at selected locations in the northeasterly portion of the project site. No VOCs were detected in two of the samples; PCE was detected at a concentration of 5.0 ppb in the sample from the building interior of 1136 Campbell Avenue. The CRWQCB ESL for PCE is 5.0 ppb. Combined with the groundwater analytical results of the March, 2004 samples, none of the VOCs detected in groundwater exceeds CRWQCB ESLs other than the previous sample near the northeasterly site boundary adjacent to the railroad tracks. Based on the extent of the area where VOCs were detected, the source of the VOCs is unclear; they may be from an offsite source or from onsite activities, depending on the local groundwater flow direction. Based on the results of the soil vapor sampling, the concentrations of VOCs detected in groundwater do not appear to present a significant threat to human health. The extent of impacted groundwater appears limited.

Hydrocarbons

A geophysical survey performed in March, 2004 found a magnetic anomaly in the area of 1130 Campbell Avenue that may be indicative of an underground storage tank, No UST was found during the excavation of an exploratory test pit at that location; however, a section of piping and discolored soil with an oil odor were observed in the test pit. Laboratory analysis of a soil

sample collected from the suspect soil in the test pit detected TPHg, TPHd and TPHmo at levels above CRWQCB residential ESLs. BTEX concentrations were also detected, but at levels below the ESLs. Based on the field observations and analytical results of the soil samples collected from the test pit area, the impacted soil appears limited in lateral and vertical extent. In addition, the impacted soil does not appear to have significantly impacted groundwater quality. Removal and appropriate disposal of the hydrocarbon-impacted soil prior to development is recommended.

The City Environmental Compliance Manager reviewed the Phase I environmental site assessment and the soil and groundwater quality evaluations and stated that hydrocarbon-impacted soil in the possibly previous UST area would need to be removed from the site in accordance with regulatory agency requirements, with verification to the City that the soils have been property removed and that there are no further agency requirements.

Arsenic

Arsenic levels that were above typical background concentrations were detected in soil samples collected along the northeasterly site boundary adjacent to the offsite railroad tracks in March, 2004. Based on the additional analysis of near-surface soils, the arsenic previously detected above background concentrations appears limited in lateral and vertical extent. Laboratory analyses of soil samples collected approximately 20 feet from the property line detected arsenic at concentrations consistent with background levels. Appropriate remedial alternatives for the soil with elevated arsenic would include excavation and offsite disposal, soil mixing, or encapsulation beneath street pavements.

The City Environmental Compliance Manager reviewed the Phase I environmental site assessment and the soil and groundwater quality evaluations and stated that arsenic-impacted soil along the site boundary with the rail lines would need to be removed from the site in accordance with regulatory agency requirements, with verification to the City that the soils have been property removed and that there are no further agency requirements.

Polychlorinated Biphenyls (PCBs)

No transformers were observed onsite during the site reconnaissance; however, transformers were reported onsite by the tenant and in City records. The transformers may contain transformer oil. Although oil is typically not highly toxic or mobile in the environment, transformer oil may contain polychlorinated biphenyls (PCBs). If the transformer(s) is discovered and is to be removed or if leaks are observed, testing of the oil for PCBs should be performed. The manufacturer may also be able to provide information regarding the PCB content, if any.

Demolition

The project proposes the demolition of a structure(s) that may contain hazards such as asbestos-containing materials (ACM) or lead based paint (LBP). The structures to be removed should be surveyed for the presence of ACM and/or LBP. If any suspect ACM are present, they should be sampled prior to demolition and removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) and Cal-OSHA requirements, if warranted. If any suspect LBP is present, it should be sampled prior to demolition and removed in accordance with EPA and OSHA requirements, if warranted.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Project Measures

General

- The project site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a Soil Management Plan shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

Hydrocarbons

- The hydrocarbon-impacted soil beneath 1130 Campbell Avenue shall be removed and appropriately disposed of at an offsite permitted facility.

- Completion of the removal/replacement of the hydrocarbon-impacted soil shall be verified via letter submitted to the Environmental Program Manager of the City's Environmental Service Division prior to release of building permits.

Arsenic

- The arsenic-impacted soil along the northeasterly site boundary adjacent to the offsite railroad tracks shall be remediated by such measures as removal and appropriate disposal at an offsite permitted facility, soil mixing, or encapsulation beneath street pavements.

- Completion of the removal/replacement of the arsenic-impacted soil shall be verified via letter submitted to the Environmental Program Manager of the City's Environmental Service Division prior to release of building permits.

Polychlorinated Biphenyls (PCBs)

- If the transformer(s) are to be removed or if leaks are observed, the transformer oil shall be tested for PCBs; and if PCBs are detected, a mitigation program shall be developed and implemented with such measures as soil testing, removal, and/or offsite disposal at a permitted facility.

Asbestos-Containing Materials

- The structures to be removed shall be surveyed for the presence of asbestos-containing materials at the demolition permit stage; and if any suspect ACM are present, they shall be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP and Cal-OSHA requirements.

Lead Based Paint

- The structures to be removed shall be surveyed for the presence of lead based paint at the demolition permit stage; and if any suspect LBP is present, it shall be sampled prior to demolition, and all potential LBP shall be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

8. HYDROLOGY AND WATER QUALITY

SETTING

Waterways

There are no waterways on the project site or within 300 feet of the project site.

Flooding

The project site is not within an area of historic flooding, and according to the Federal Emergency Management Agency's (FEMA) *Flood Insurance Rate Maps*, the site is not within Zone A, the area of 100-year flood. The Santa Clara Valley Water District's (SCVWD) *Maps of Flood Control Facilities and Limits of 1% Flooding* also show the project site does not lie within a flood zone.

Water Quality

Stormwater runoff flows via City storm drainage lines northeasterly to the Guadalupe River, and then north to the San Francisco Bay.

The majority of the project site is currently covered with buildings and paved areas, and is approximately 80 percent impervious surfaces.

Nonpoint Sources

The Clean Water Act states that the discharge of pollutants in stormwater to Waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The U.S. Environmental Protection Agency requires under the Clean Water Act that any stormwater discharge from construction sites larger than five acres be in compliance with the NPDES. The State Regional Water Quality Control Board (RWQCB), which is responsible for implementing and enforcing the program, issued a statewide General Permit for construction activities. Provisions of the current Permit require that the following issues be addressed with respect to water quality regardless of the size of the site: 1) erosion and sedimentation during clearing, grading or excavation of a site; and 2) the discharge of stormwater once construction is completed. Coverage under this Permit would be obtained by submitting a Notice of Intent to the RWQCB that identifies the responsible party, location and scope of operation; and by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP) as well as monitoring the effectiveness of the plan.

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) was developed to control nonpoint sources of pollution from entering water sources and deteriorating water quality. The City of San Jose is a participant in the SCVURPPP. A number of control measures, including those related to development activities, industrial and construction inspections, public agency activities and public outreach efforts, are also currently being

developed and implemented. The development, implementation and enforcement of control measures to reduce pollutant discharges from areas of new development is the responsibility of the Urban Runoff Pollution Prevention Program in cooperation with the RWQCB.

In October, 2001, the RWQCB issued a revised NPDES Municipal Separate Storm Sewer System (MS4) Permit to the SCVURPPP. The Permit establishes two types of requirements for new and redevelopment projects: pollutant control measures and peak flow control measures. Specific pollutant control measures are currently required for projects that add or replace one acre or more of impervious surface. Stormwater pollution can be reduced by a combination of site design, source control, and treatment Best Management Practices (BMPs). The Permit also requires that the City begin implementing specific numeric sizing hydraulic design calculation methods for stormwater BMPs in lieu of the current qualitative approach. These hydraulic design methods are either volume or flow-based, depending on the type of treatment BMP proposed.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on hydrology and water quality if it would:

- Violate any water quality standards or waste discharge requirements.
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- Otherwise substantially degrade water quality.
- Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- Place within a 100-year flood hazard area structures that would impede or redirect flood flows.
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- Be subject to inundation by seiche, tsunami or mudflow.

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?		**X**			28,55,69
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				**X**	25,27
c. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			**X**		25,26
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			**X**		25,26
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			**X**		26,28
f. Otherwise substantially degrade water quality?		**X**			26,28
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				**X**	26, 27,53,54
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				**X**	26, 27,53,54
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				**X**	27,28
j. Be subject to inundation by seiche, tsunami or mudflow?				**X**	27

GENERAL PLAN AMENDMENT

Water Quality

Development of the site with residential uses would reduce the amount of impervious surface on the site with the addition of open landscaped areas, and would reduce the amount of runoff and associated water quality impacts.

Future development of the site would be required to comply with City policies and ordinances to avoid or reduce water quality impacts. A Notice of Intent (NOI) to the State Water Quality Control Board, a Storm Water Pollution Prevention Plan (SWPPP) that will be maintained onsite, and an Erosion Control Plan that will be approved by the City will be required. The NOI and SWPPP will also be provided to the City. The Erosion Control Plan will include Best Management Practices (BMPs) to reduce the potential impacts from construction activities. Future development would also be required to comply with the SCVURPPP NPDES (MS4) Permit to control pollution and peak flow from new stormwater runoff.

The implementation of the following General Plan Services and Facilities; Flooding; Bay and Baylands; and Water Resources policies would reduce any potential hydrology and water quality impacts of future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Services and Facilities Level of Service (Storm Drainage and Flood Control) Policy No. 12

- New projects should be designed to minimize potential damage due to storm waters and flooding to the site and other properties.

Flooding Policy No. 1

- New development should be designed to provide protection from potential impacts of flooding during the "1%" or "100-year" flood.

Bay and Baylands Policy No. 5

- The City should continue to participate in the Santa Clara Valley Non-Point Source Pollution Control Program and take other necessary actions to formulate and meet regional water quality standards which are implemented through the National Pollution Discharge Elimination System Permits and other measures.

Water Resources Policy No. 4

- The City should not permit urban development to occur in areas not served by a sanitary sewer system.

Water Resources Policy No. 8

- The City should establish policies, programs and guidelines to adequately control the discharge of urban runoff and other pollutants into the City's storm drains.

Water Resources Policy No. 9

- The City should take a proactive role in the implementation of the Santa Clara Valley Urban Runoff Pollution Prevention Program.

Water Resources Policy No. 12

- For all new discretionary development permits for projects incorporating large paved areas or other hard surfaces (e.g., building roofs), or major expansion of a building or use, the City should require specific construction and post-construction measures to control the quantity and improve the water quality of urban runoff.

PD ZONING

Flooding

The project site is not within the limits of potential inundation with the occurrence of a one percent flood. There are existing 12- to14-inch and 24-inch City of San Jose storm drainage lines in Campbell Avenue and an existing 27-inch City storm drainage line in Newhall Street, which are designed to serve the site in a developed condition. Residential development of the site would not cause flooding. Any excess flows beyond the design capacity would pond onsite.

Erosion

The decrease in impervious surface on the site would result in a decrease in runoff from 7.8 cubic feet per second (cfs) pre-project to 6.8 cfs post-project. Decreased flow and duration would not increase downstream streambank erosion. The project would not have a direct outfall into any stream. As described above, project flows would drain through the existing storm drainage system to the Guadalupe River, which is approximately 1.0 mile northeasterly.

Water Quality

The primary impact on water quality would be from rooftop and driveway drainage. Particulates, oils, greases, toxic heavy metals, pesticides and organic materials are typically found in urban storm runoff. The project's contribution would have a potentially significant impact on water quality. Stormwater runoff would decrease under project conditions as the amount of impervious surfaces (buildings and pavement) would decrease from approximately 80 percent of the site to approximately 61 percent. The proposed 1.8-acre decrease in impervious surfaces would decrease the amount of stormwater discharged into the storm drainage system and the Guadalupe River. In addition, temporary construction-related activities such as clearing, grading, or excavation could result in potentially significant impacts to water quality.

Stormwater runoff and pollution can be reduced by the use of bioswales. Bioswales are open, shallow channels with vegetation covering the side slopes and bottom that collect and slowly convey runoff flow to downstream discharge points. Bioswales both reduce the quantity and improve the quality of runoff. Stormwater from the site can also be treated by measures such as a Continuous Deflective Separation (CDS) unit, which uses a non-blocking, non-mechanical screening process to remove pollutants from stormwater flows. The underground unit would be located on the storm drainage line near the outfall prior to the connection to the City storm drainage system.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Water Quality

- A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities and non-stormwater

management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.

- The project shall comply with the pollutant control and peak flow control measures, including a combination of site design, source control, and treatment Best Management Practices (BMPs), and the numeric sizing requirements of the SCVURPPP NPDES (MS4) Permit.

Project Measures

Water Quality

- A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMPs) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-storm water management.
- The project shall incorporate the following site design, source control, and treatment measures to minimize the discharge of stormwater pollutants:
  - Bioswales shall be incorporated into the stormwater drainage design.
  - A Continuous Deflective Separation (CDS) unit to treat stormwater flows shall be installed near the outfall of the storm drainage system.
  - Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
  - Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris.

9. LAND USE AND PLANNING

SETTING

General Plan

The current land use designation for the project site on the San Jose 2020 General Plan is Light Industrial, as shown on the following General Plan Map. The project is a General Plan Amendment application to change the General Plan land use designation to High Density Residential (25-50 du/ac), which is defined as follows:

> **High Density Residential (25-50 du/ac)**
> *"This density is typified by three- to four-story apartments or condominiums over parking. This density is planned primarily near the Downtown Core Area, near commercial centers with ready access to freeways and/or expressways and in the vicinity of the rail stations within the Transit-Oriented Development Corridors Special Strategy Area. Sites within reasonable walking distance of a passenger rail station (2,000 feet) may be appropriate for vertical commercial/residential mixed-use development under a Planned Development zoning. The commercial component should be well integrated and well designed in the context of the overall development, with the commercial uses serving the surrounding neighborhood and rail passengers."*

The project conforms with this amended classification. In addition, the project site is located approximately 4,200 feet (walking distance) from the future BART station and approximately 3,300 feet from the existing CALTRAIN station and, therefore, in the vicinity of a transit-oriented development corridor special strategy area.

Special Areas

The project site is not located within any of the following special areas:

- Midtown Planned Community and Specific Plan Area
- Jackson – Taylor Planned Residential Community
- Communications Hill Planned Community
- Evergreen Planned Residential Community
- Berryessa Planned Residential Community
- Silver Creek Planned Residential Community
- Alviso Master Plan Area
- Tamien Specific Plan Area
- Downtown Strategy Plan Area
- North San Jose (Rincon de los Esteros Redevelopment Area)
- Edenvale Redevelopment Area

Zoning

The project site is currently zoned HI (Heavy Industrial District). The project is an application to rezone the site to A(PD) in accordance with the proposed General Development Plan.

Existing Use

The project site is currently a condominiumized industrial warehouse. Previous uses of the site are unknown. The proposed project is not a land use presently existing in the surrounding neighborhood (within 500 feet of the project site).

INSERT GENERAL PLAN LEGEND HERE

81/2 X 11

COLOR

INSERT GENERAL PLAN MAP HERE
(FIGURE 28)

81/2 X 11

COLOR

Surrounding Uses

Land uses surrounding (within 500 feet of) the project site include: light industrial to the northwest; transportation (railroad tracks) to the northeast; single family residential to the southwest; and light industrial and single family residential to the southeast. A General Plan Amendment application from Light Industrial to Medium High Density Residential (12-25 du/ac) has been filed on APN 230-14-007 to the northwest.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on land use and planning if it would:

- Physically divide an established community.
- Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
9. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?				**X**	25,26
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				**X**	29
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				**X**	25,26,28

GENERAL PLAN AMENDMENT

Compatibility

The proposed project is a General Plan Amendment from Light Industrial to High Density Residential (25-50 du/ac). This change would result in a decrease in the acreage designated for industrial uses. Because of the limited supply of land available for industrial suppliers/services firms in the City, General Plan land use changes on sites designated for industrial use are carefully monitored by the City through its recently adopted Jobs, Land Use and Fiscal issues in the Key Employment Areas Study and the Framework for Evaluating Proposed Conversions of Employment Lands to Other Uses. The proposed amendment site is not located within an area reserved exclusively for industrial uses, however, as the immediate area includes a mixture of residential and light industrial uses. The proposed amendment site is located in the Airport

subarea, which is a Type 3 subarea where business support industry employment predominates. While the Study indicates that these subareas should be preserved for employment uses, it also states that the portion of the subarea where the site is located could be considered for residential uses.

The proposed amendment site is currently light industrial (a condominiumized industrial warehouse). It is located within a light industrial pocket on the northeasterly side of Campbell Avenue. Typical uses within the light industrial land use designation, which excludes uses with unmitigated hazardous or nuisance effects, are warehousing, wholesaling, and light manufacturing. Existing land uses to the southwest and southeast are residential. The proposed amendment, in an area that already contains residential development, would not restrict development of land reserved for exclusively industrial uses.

The proposed amendment site is currently adjacent to a small industrial parcel to the northwest. Beyond that parcel, there is a proposal for approximately 100 units on another currently industrial site on Campbell Avenue. It is expected that ultimately there will be a request to also change the land use on the remaining parcel to the northwest, making the area along the northeasterly side of Campbell Avenue residential.

The design of future residential development would take into consideration the adjoining uses and provide for adequate buffering, architectural design, open space, noise attenuation, etc. in accordance with General Plan policies and Residential Design Guidelines standards. There would be a noise attenuation barrier/fence along the northeasterly property line.

The implementation of the following General Plan Balanced Community; Residential Land Use; Industrial Land Use; Urban Design; Energy; and Hazards policies would reduce any potential land use and planning impacts of future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Balanced Community Policy No. 1

- The City should foster development patterns which will achieve a whole and complete community in San Jose, particularly with respect to improving the balance between jobs and economic development on the one hand, and housing resources and a resident work force on the other. A perfect balance between jobs and housing may not be achievable but the City should attempt to improve this balance to the greatest extent feasible.

Balanced Community Policy No. 2

- Varied residential densities, housing types, styles, and tenure opportunities should be equitably and appropriately distributed throughout the community and integrated with transportation system including roads, bicycle and pedestrian facilities. Higher densities are encouraged near passenger rail lines and other major transportation facilities to support the use of public transit.

Residential Land Use Policy No. 11

- Residential developments should be designed to include adequate open spaces in either private yards or common areas to partially provide for residents' open space and recreation needs.

Industrial Land Use Policy No. 3

- The City should monitor the absorption and availability of industrial land, particularly land identified exclusively for industrial uses, to ensure a balanced supply of available land for all sectors, including industrial suppliers and services, and should periodically assess the condition and amount of the industrial land supply to achieve this end.

Urban Design Policy No. 1

- The City should continue to apply strong architectural and site design controls on all types of development for the protection and development of neighborhood character and for the proper transition between areas with different types of land uses.

Urban Design Policy No. 6

- Proposed structures adjacent to existing residential areas should be architecturally designed and sited to protect the privacy of the existing residences.

Urban Design Policy No. 22

- Design guidelines adopted by the City Council should be followed in the design of development projects.

Energy Policy No. 1

- The City should promote development in areas served by public transit and other existing services. Higher residential densities should be encouraged to locate in areas served by primary public transit routes and close to major employment centers.

Hazards Policy No. 1

- Development should only be permitted in those areas where potential danger to the health, safety, and welfare of the residents of the community can be mitigated to an acceptable level.

PD ZONING

The project would change the land use on the site from light industrial (industrial warehouse) to single family attached residential use in accordance with the (proposed) General Plan land use designation. Residential use is compatible with the surrounding area. Development of the project site would introduce new roads and homes to the area. These uses would change the view of the site and would generate increases in traffic, noise and air pollution in the area that would not be significant.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

10. MINERAL RESOURCES

SETTING

The project site does not contain any known important mineral resources.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on mineral resources if it would:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
10. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				**X**	27,29,59
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				**X**	27,29,59

GENERAL PLAN AMENDMENT

The site is already developed and does not contain any known mineral resources; therefore, future high density residential development would not have a significant impact on mineral resources.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

PD ZONING

The project site is within a developed urban area. The project would not result in the loss of availability of a known mineral resource.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

11. NOISE

Charles M. Salter Associates, Inc. conducted a feasibility noise and vibration study that is included in the Technical Appendix.

SETTING

Existing Noise Sources

Noise intrusion over the site originates primarily from the adjacent CALTRAIN railroad tracks, vehicular traffic sources along Interstate 880 (I-880), and aircraft flyovers from the Mineta San Jose International Airport. Newhall Street carries an Average Daily Traffic (ADT) volume of approximately 1,400 adjacent to the site, as shown on the *City of San Jose and Surrounding Area Traffic Flow Map (2001),* but is not designated as having noise level exceedances on the *City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources*.

CALTRAIN

The CALTRAIN tracks include several rail lines, approximately 50 to 150 feet northeasterly of the site boundary. There is also a spur line between the first rail line and the site boundary.

ALUC Noise Zone

The project site is not located within the Airport Land Use Commission (ALUC) Noise Zone (65 dB CNEL) for the Mineta San Jose International Airport.

Measurements

Noise

To assess the site's existing noise environment, continuous sound level recordings were taken at various locations: 1) easterly corner of the project site approximately 48 feet from the nearest CALTRAIN track and 25 feet from the centerline of Newhall Street; 2) southeasterly property line of the site approximately 190 feet from the nearest CALTRAIN track, 25 feet from the centerline of Newhall Street, and 31 feet from Campbell Avenue; 3) southerly corner of the project site approximately 550 feet from the nearest CALTRAIN track and 25 feet from the centerline of Newhall Street; and 4) westerly corner of the project site, 31 feet from Campbell Avenue. The fourth location was selected to determine the noise level at the site when a receiver would be shielded from rail activities (the existing building on the site blocked line-of-sight between the monitor and the rail line); the goal of this measurement was to determine the noise generated by aircraft flyovers and I-880 at the project site.

Noise levels are described in terms of the Day-Night Sound Level (DNL), which is the 24-hour noise descriptor used by the City of San Jose to define acceptable noise levels. To obtain the DNL values, sound level measurements were made from February 8 to 10, 2004, for a total period of 35 hours, and included representative hours of the daytime and nighttime periods of the DNL index. Calculations result in DNL values from 76 dB along the CALTRAIN tracks and Newhall Street in the easterly portion of the site to 69 dB in the southerly portion, and of 64 dB in the westerly corner along Campbell Avenue.

Vibration

Vibration measurements of train passbys were conducted on February 10, 2004 at approximately 50, 130 and 210 feet south of the rail line nearest the project site. The locations were selected to determine how vibration is attentuated at the project site as a function of distance from the rail lines. Fourteen trains passed the site during the monitoring, including eight CALTRAIN, three ACE, two freight, and one Amtrak event. Other activities included freight trains hitching and unhitching to various engines on the spur lines furthest from the project site; these trains moved so slowly that the vibration associated with the events was not significant. No activity on the spur line between the first rail line and the site boundary was observed during the survey. Vibration levels along the northeasterly site boundary during train passbys ranged from 63 dB to 83 dB, with the average event generating 78 dB.

SIGNIFICANCE CRITERIA

The proposed project would have a significant noise or vibration impact if it would result in:

- Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
11. NOISE. Would the project result in:					
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		**X**			26,60,96
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?		**X**			25,27,96
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			**X**		25,26,28

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
11. NOISE (Cont.). Would the project result in:					
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		**X**			25,26,28
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				**X**	27,61
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				**X**	27,61

GENERAL PLAN AMENDMENT

The implementation of the following General Plan Urban Design and Noise policies would reduce any potential noise impacts on future high density residential development to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Urban Design Policy No. 18

- To the extent feasible, sound attenuation for development along City streets should be accomplished through the use of landscaping, setback and building design rather than the use of sound attenuation walls. Where sound attenuation walls are deemed necessary, landscaping and an aesthetically pleasing design shall be used to minimize visual impact.

Noise Goal

- Minimize the impact of noise on people through noise reduction and suppression techniques, and through appropriate land use policies.

Noise Policy No. 1

- The City's acceptable noise level objectives are 55 DNL as the long-range exterior noise quality level, 60 DNL as the short-range exterior noise quality level, 45 DNL as the interior noise quality level, and 76 DNL as the maximum exterior noise level necessary to avoid significant adverse health effects. These objectives are established for the City, recognizing that the attainment of exterior noise quality levels in the environs of the San Jose International Airport, the Downtown Core Area, and along major roadways may not be achieved in the time frame of this Plan. To achieve the noise objectives, the City should require appropriate site and building design, building construction and noise attenuation techniques in new residential development.

Noise Policy No. 9

- Construction operations should use available noise suppression devices and techniques.

PD ZONING

Standards

Noise

Noise criteria that apply to the project are the Noise Insulation Standards of the California Code of Regulations, Title 24, and the City of San Jose General Plan. Title 24 is applicable to all new multi-family dwellings.

The Title 24 standards, which utilize the DNL descriptor, establish an exterior reference level of 60 dB and specify that residential buildings to be located within an annual DNL zone of 60 dB or greater require an acoustical analysis. The analysis report must show that the planned buildings provide adequate attenuation to limit intruding noise from exterior sources to an annual DNL of 45 dB in any habitable space.

The City of San Jose General Plan establishes a policy of requiring noise mitigation from transportation noise for residential land use where the exterior level exceeds 60 dB DNL and/or the interior level exceeds 45 dB DNL. It is recognized, however, that attainment of the exterior noise quality levels in the vicinity of San Jose International Airport, the Downtown Core Area and along major roadways may not be achieved within the time frame of the General Plan. Exterior and interior noise levels and mitigation measures that comply with these San Jose standards would also achieve compliance with the Title 24 standards.

Vibration

There are no specific vibration criteria in the City's General Plan. The U.S. Department of Housing and Urban Development (HUD) suggests that buildings closer than 100 feet to a railroad track are often subjected to excessive vibration transmitted through the ground. The document entitled "Transit Noise and Vibration Impact Assessment" published by the Federal Transit Administration (FTA) in 1995, which provides guidelines for levels of ground-borne vibration due to rail lines adjacent to housing, suggests in Chapter 8 that ground-borne vibration velocity should not exceed 80 VdB for infrequent events (fewer than 70 train passbys per day). For more frequent train passbys, the criterion is 72 dB.

Exterior Noise Exposures

Onsite measurements and calculations determined that the maximum DNL for the most impacted dwellings in the easterly corner of the project site under existing traffic and rail conditions is 76 dB. Additional measurements and calculations result in DNL values of 71 to 69 dB along Newhall Street, and 64 dB in the westerly corner along Campbell Avenue. The DNL values at the proposed dwellings would exceed the City of San Jose policy level and the Title 24 criterion by up to 16 dB. A 10-foot-high wall is to be constructed along the northeasterly site boundary to provide some noise attenuation for the exterior areas and first-floor units.

Interior Noise Exposures

To determine the interior DNL values, a 15 dB attenuation factor was applied to the measured exterior exposure. This factor represents an annual average condition; i.e., assuming that windows with single-strength glass are kept open up to 50 percent of the time for natural ventilation. Interior noise exposures in the dwelling units closest to CALTRAIN would be 61 dB DNL under existing conditions. Thus, the interior exposure would be up to 16 dB in excess of the 45 dB interior limit of the General Plan and Title 24. Sound-rated window assemblies would be required at all exterior façades.

Public Park

The public park area would not be within direct line-of-sight to the rail line as it would be shielded by the proposed 10-foot-high wall and most likely by residential buildings. The park area would have an expected DNL of 64 dB. Although this exceeds the City's long-term goal of 60 dB DNL, the proposed park is a land use that is listed in the City's General Plan as an example of an allowable use in special noise impact areas where it may be impossible to attain the desired outdoor noise level without eliminating the beneficial attributes of the exterior space.

Temporary Construction Noise

During construction, the site preparation and construction phase would generate temporary sound levels ranging from approximately 70 to 90 dBA at 50 foot distances from heavy equipment and vehicles. These construction vehicles and equipment are generally diesel powered, and produce a characteristic noise that is primarily concentrated in the lower frequencies.

The powered equipment and vehicles act as point sources of sound, which would diminish with distance over open terrain at the rate of 6 dBA for each doubling of the distance from the noise source. For example, the 70 to 90 dBA equipment peak noise range at 50 feet would reduce to 64 to 84 dBA at 100 feet, and to 58 to 78 dBA at 200 feet. Therefore, during the construction operations, sound level increases of 20 to 40 dBA due to these sources could occur near the project boundary.

Since construction is carried out in several reasonably discrete phases, each has its own mix of equipment and consequently its own noise characteristics. Generally, the short-term site preparation phase, which requires the use of heavy equipment such as bulldozers, scrapers, trenchers, trucks, etc., would be the noisiest. The ensuing building construction and equipment installation phases would be quieter and on completion of the project, the area's sound levels would revert essentially to the traffic levels.

Vibration

Vibration levels along the northeasterly site boundary during monitored train passbys in February, 2004 ranged from 63 dB to 83 dB, with the average event generating 78 dB. The FTA states that for infrequent train activity (fewer than 70 events per day), the vibration velocity level should not exceed 80 dB; for more frequent train passbys, the criterion is 72 dB. The

number of daily train passbys was not able to be verified; if the train passbys do not exceed the 70 events, then the train activity would be considered infrequent and the goal would be a vibration velocity level of 80 dB. The first row of homes have been set back a minimum of 30 feet from the northeasterly site boundary, thus allowing the project to meet the FTA goal. Although the train vibration would be within the guidelines established by the FTA, train vibration can vary depending on the number of engines, cars, speed, load, and distance of receivers from tracks. This variation could generate perceptible vibration on houses closest to the railroad tracks. To reduce vibration amplification on second floors, the structure of the houses could be stiffened; a qualified acoustical engineer should be retained during the design phase to provide recommendations. A disclosure statement should make homebuyers aware of the trains and the potential for perceptible vibration.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Interior Noise

- Mechanical ventilation shall be provided in accordance with Uniform Building Code requirements when windows are to be closed for noise control.

Project Measures

Mitigation measure discussions in this section refer to the following Noise Attenuation maps, Figures 29a through 29c. Details and specifications are included in the noise and vibration study.

Exterior Noise

- A 10-foot-high noise attenuation barrier shall be constructed along the northeasterly site boundary, with small segments constructed along northwesterly and southeasterly boundaries to control flanking.

Interior Noise

- Windows and sliding glass doors on the first, second and third floors of the buildings shall have the minimum required STC ratings indicated on the Noise Attenuation maps, Figures 29a through 29c.

Temporary Construction Noise

- Construction operations shall be limited to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit so as to avoid the more sensitive evening, nighttime and weekend hours.

- All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

Vibration

- Residential buildings shall be set back 30 feet or more from the northeasterly property line along the railroad tracks.

- The structure of the buildings shall be stiffened to reduce vibration amplification on second floors; a qualified acoustical engineer shall be retained during the design phase to provide recommendations.

- A disclosure statement shall make homebuyers aware of the trains and the potential for perceptible vibration.

INSERT NOISE ATTENUATION MAP (First Floor) HERE
(FIGURE 29a)

8 1/2 x 11

INSERT NOISE ATTENUATION MAP (Second Floor) HERE
(FIGURE 29b)

8 1/2 x 11

INSERT NOISE ATTENUATION MAP (Third Floor) HERE
(FIGURE 29c)

8 1/2 x 11

12. POPULATION AND HOUSING

SETTING

The population of the City of San Jose is approximately 898,349. The project site is located in Census Tract 5052.03, which has a population of approximately 1,129 (2000 Census). There are no housing units currently on the project site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on population and housing if it would:

- Induce substantial population growth in an area, either directly or indirectly.
- Displace numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
12. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			**X**		25,26,28
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				**X**	25,26
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				**X**	25,26

GENERAL PLAN AMENDMENT

The proposed amendment would not displace any housing units, nor would it induce substantial population growth in the area; therefore, future high density residential development would not have a significant impact on population and housing.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

POPULATION AND HOUSING POLICIES INCLUDED IN THE GENERAL PLAN

Although the proposed General Plan Amendment is not anticipated to result in significant population and housing impacts, any potential population and housing impacts would be further avoided or reduced by conformance with General Plan policies, as identified below.

Balanced Community Policy No. 1

- The City should foster development patterns which will achieve a whole and complete community in San Jose, particularly with respect to improving the balance between jobs and economic development on the one hand, and housing resources and a resident work force on the other. A perfect balance between jobs and housing may not be achievable but the City should attempt to improve this balance to the greatest extent feasible.

PD ZONING

The project would not displace any existing housing units. The project would add 220 housing units that would add approximately 674 people to the City of San Jose, which would not be a substantial increase to the City's population.

Direct growth inducing impacts include the construction of streets and utilities that would provide access to or capacity for additional undeveloped land. The site is bordered by developed residential, light industrial, and transportation uses. The project would not have a direct growth inducing impact. Indirect growth inducing impacts include increases in population and economic impacts. There would be short-term increases in employment in the construction industry. The project would not have an indirect growth inducing impact.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

13. PUBLIC SERVICES

SETTING

Schools

The project site is in the Santa Clara Unified School District (K-12). Students from the project are expected to attend:

School	Address	Approx. Distance *(miles)*	Enrollment
Westwood Elementary	435 Saratoga Ave., Santa Clara	2.1	444
Buchser Middle	1111 Bellomy St., Santa Clara	1.0	957
Santa Clara High	3000 Benton St., Santa Clara	3.0	1,647

Buchser Middle School is getting close to capacity; the other schools are below capacity.

Parks

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. The closest City neighborhood park is Columbus Park at Spring Street and Taylor Street, off Coleman Avenue, near SR 87. It is a 9.9-acre park that contains picnic tables, barbecue pits, a playground, two basketball courts, a lighted softball field, volley ball courts, and restrooms. The City Rose Garden is a 10.7-acre park at Dana Street and Naglee Street, between Bascom Avenue and Park Avenue, that contains picnic tables and restrooms.

Fire Protection

The project site is in the service area of the San Jose Fire Department. The fire stations responding to emergency calls, i.e., fires and emergency medical situations, within the site and their approximate response times are listed below. The total reflex time is the time from when the Department first receives the call to when the firemen reach their destination.

Station No.	Address	Approx. Distance (*miles*)	Projected Travel Time (*minutes*)	Travel Time Standard (*minutes*)	Projected Total Reflex Time (*minutes*)	Total Reflex Time Standard (*minutes*)
Initial First Alarm:						
1st Engine: 7	800 Emory Street	1.1	2.2	4.0	6.2	8.0
2nd Engine: 1	225 N. Market Street	2.7	5.4	6.0	9.4	10.0
1st Truck: 1	225 N. Market Street	2.7	5.4	6.0	9.4	10.0
1st B. Chief 1	225 N. Market Street	2.7	5.4	9.0	9.4	13.0
Full First Alarm:						
3rd Engine: 30	454 Auzerais Avenue	2.8	5.6	9.0	9.6	13.0
2nd Truck: 4	710 Leigh Avenue	2.7	5.4	11.0	9.4	15.0
2nd B. Chief 10	511 S. Monroe Street	2.8	5.6	11.0	9.2	15.0

B. Chief = Battalion Chief

All of the response times are within the recommended limits. It should be noted that all times are estimates based on average conditions and can vary considerably due to weather, time of day, traffic patterns and other variables. These estimated response times only measure the arrival of the emergency response vehicle to the "curb"; they do not consider the set up time required before abatement of an incident can begin nor the time it takes the firefighters to reach any victims.

Police Protection

The project site is within Beat No. F2 of the San Jose Police Department's service area. The major crimes reported in Beat F2 in terms of frequency during 2003 were pretty theft, grand theft, auto burglary, vandalism, and simple assault.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on public services if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection; Police protection; Schools; Parks; and Other Public Facilities.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
13. PUBLIC SERVICES. Would the project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			**X**		5
Police protection?			**X**		65
Schools?			**X**		6
Parks?		**X**			26,28
Other Public Facilities?			**X**		28

GENERAL PLAN AMENDMENT

Existing schools, fire protection and police protection services are available to serve future high density residential development without substantial alteration; however, there are currently no developed or planned public parks within the project area. Future residential development would have a significant impact on public services. The implementation of the following General Plan Services and Facilities and Parks and Recreation policies would reduce any potential impacts of future high density residential development on public services to a less-than-significant impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

Parks

Services and Facilities Level of Service (Other Services) Policy No. 16

- Utilize the following Citywide level of service measures as benchmarks to be used to evaluate major General Plan land use and policy changes, such as expansions of the Urban Service Area or land use changes from non-residential to residential:

  - For parks and recreation: 3.5 acres of neighborhood and community serving recreational lands per 1,000 population, of which a minimum is 1.5 acres of neighborhood, community or locally serving regional/City-wide park lands and up to 2 acres of school playgrounds, and all of which is located within a reasonable walking distance of the project; 7.5 acres of regional/City-wide park lands per 1,000 population; and 500 square feet of community center floor area per 1,000 population.

  The City recognizes that these performance measures are limited reflections of all City services and may change over time to reflect increasing diversity, new methods of service delivery or to reflect changing needs and priorities that are determined in the budgetary process. The details of these performance measures may also be addressed in the new or existing service planning documents of the relevant City departments that provide these services.

Services and Facilities Level of Service (Other Services) Policy No. 17

- In reviewing major land use or policy changes, the city should consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.

Parks and Recreation Policy No. 1

- The City should consider as an objective the provision of neighborhood or community park within reasonable walking distance for each resident. That portion of a Citywide or regional park which provides recreational accessibility for nearby residents in the same manner as a neighborhood or community park should be considered as meeting this objective.

Parks and Recreation Policy No. 16

- The City should facilitate the creation and improvement of neighborhood and community parks by using the Parkland Dedication Ordinance, the Parallel Impact Fee Ordinance, and the Construction and Conveyance Tax.

Parks and Recreation Policy No. 18

- In the planning of future park expenditures, the provision of new park and recreation facilities and improvements in park deficient areas should be considered a top priority.

PUBLIC SERVICES POLICIES INCLUDED IN THE GENERAL PLAN

Although the proposed General Plan Amendment is not anticipated to result in significant impacts to schools, fire protection or police protection, any potential public services impacts would be further avoided or reduced by conformance with General Plan policies, as identified below.

Schools

Services and Facilities Level of Service (Schools) Policy No. 20

- The City supports a system of open communication between the City, the public school districts and the development community in order to coordinate the activities of each to achieve the highest quality of education for all public school students.

Services and Facilities Level of Service (Schools) Policy No. 24

- The City and school districts should cooperate in the joint planning, development, and use of public school facilities combined with other public facilities and services, such as open space, recreation facilities, libraries, fire stations, and community service programs. The City should provide all pertinent information on General Plan amendments, rezonings and other development proposals to all affected school districts in a timely manner.

Fire

Fire Hazards Policy No. 5

- Anticipated fire response times and fire flows should be taken into consideration as a part of the Development Review process.

Fire Hazards Policy No. 6

- New development should provide adequate access for emergency vehicles, particularly fire fighting equipment, as well as provide secure evacuation routes for the inhabitants of the area.

Fire/Police/Library

Services and Facilities Level of Service (Other Services) Policy No. 16

- Utilize the following Citywide level of service measures as benchmarks to be used to evaluate major General Plan land use and policy changes, such as expansions of the Urban Service Area or land use changes from non-residential to residential:

  - For police protection, achieve a response time of six minutes or less for 60 percent of all Priority 1 calls, achieve a response time of eleven minutes or less for 60 percent of all Priority 2 calls.

  - For fire protection, a 4-minute average response time to all calls.

  - For libraries, 10,000 square feet of library space per 36,000 population, 18.3 weekly service hours per 10,000 population, and an annual acquisition rate of 1 volume per 6 people for the first 500,000 population and 1 volume per 8 people over 500,000 population.

  The City recognizes that these performance measures are limited reflections of all City services and may change over time to reflect increasing diversity, new methods of service delivery or to reflect changing needs and priorities that are determined in the budgetary process. The details of these performance measures may also be addressed in the new or existing service planning documents of the relevant City departments that provide these services.

PD ZONING

Schools

The project would add additional students to the Santa Clara Unified School District (K-12), as follows:

School	Enrollment	Generation Factor	Number of Students
Westwood Elementary	444	--	--
Buchser Middle	957	--	--
Santa Clara High	1,647	0.50/du (K-12)	110

Based on the district generation factors listed above, the project could generate a total of up to 110 students. This is not considered to have a significant physical effect on the environment.

The State School Facilities Act provides for school district impaction fees for elementary and high schools and related facilities as a condition of approval of residential projects. The Santa Clara Unified School District has implemented such a fee. The one-time fee, which is based on the square footage of new habitable residential construction, would be paid prior to the issuance of a building permit.

Parks

The City of San Jose provides parks and recreation facilities within the city. Project residents would increase the demand for public park facilities; however, there are currently no developed City of San Jose parks within the 3/4-mile reasonable walking distance standard. The City parks in the area are not adequate to serve the project residents.

Parkland Dedications

The City has established a Park Impact Fee Ordinance that requires dedication of land and/or payment of fees for any net increase in residential units to help provide park and recreational facilities in accordance with the Services and Facilities and the Parks and Recreation Goals and Policies of the General Plan. A 1.51-acre portion of the site is to be dedicated to the City for public park purposes.

Fire Protection

The project site is in the service area of the San Jose Fire Department. All of the response times are within the recommended limits. No additional fire personnel or equipment would be necessary due to the implementation of this project.

Police Protection

The San Jose Police Department provides police protection for the city. No additional police personnel or equipment are expected to be necessary to serve the project.

Parks

- A 1.51-acre portion of the site shall be dedicated to the City for public park purposes.

14. RECREATION

SETTING

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. The closest City neighborhood park is Columbus Park at Spring Street and Taylor Street, off Coleman Avenue, near SR 87. It is a 9.9-acre park that contains picnic tables, barbecue pits, a playground, two basketball courts, a lighted softball field, volley ball courts, and restrooms. The City Rose Garden is a 10.7-acre park at Dana Street and Naglee Street, between Bascom Avenue and Park Avenue, that contains picnic tables and restrooms.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on recreation if it would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
14. RECREATION.					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**		62,63
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				**X**	26,28

GENERAL PLAN AMENDMENT

The proposed amendment would not increase the use of parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, nor does it include, or require the construction or expansion of, recreational facilities that might have an adverse physical effect on the environment; therefore, future high density residential development would not have a significant impact on recreation.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

RECREATION POLICIES INCLUDED IN THE GENERAL PLAN

Although the proposed General Plan Amendment is not anticipated to result in significant recreation impacts, any potential recreation impacts would be further avoided or reduced by conformance with General Plan policies, as identified below.

Services and Facilities Level of Service (Other Services) Policy No. 16

- Utilize the following Citywide level of service measures as benchmarks to be used to evaluate major General Plan land use and policy changes, such as expansions of the Urban Service Area or land use changes from non-residential to residential:

  - For parks and recreation: 3.5 acres of neighborhood and community serving recreational lands per 1,000 population, of which a minimum is 1.5 acres of neighborhood, community or locally serving regional/City-wide park lands and up to 2 acres of school playgrounds, and all of which is located within a reasonable walking distance of the project; 7.5 acres of regional/City-wide park lands per 1,000 population; and 500 square feet of community center floor area per 1,000 population.

  The City recognizes that these performance measures are limited reflections of all City services and may change over time to reflect increasing diversity, new methods of service delivery or to reflect changing needs and priorities that are determined in the budgetary process. The details of these performance measures may also be addressed in the new or existing service planning documents of the relevant City departments that provide these services.

Services and Facilities Level of Service (Other Services) Policy No. 17

- In reviewing major land use or policy changes, the city should consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of the project on existing service levels.

Parks and Recreation Policy No. 1

- The City should consider as an objective the provision of neighborhood or community park within reasonable walking distance for each resident. That portion of a Citywide or regional park which provides recreational accessibility for nearby residents in the same manner as a neighborhood or community park should be considered as meeting this objective.

PD ZONING

The City of San Jose provides parks and recreation facilities within the city. Project residents would increase the demand for public park facilities; however, there are currently no developed City of San Jose parks within the 3/4-mile reasonable walking distance standard. The City parks in the area are not adequate to serve the project residents. A 1.51-acre portion of the site is to be dedicated to the City for public park purposes.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

15. TRANSPORTATION / TRAFFIC

Fehr & Peers conducted a traffic analysis that is included in the Technical Appendix.

SETTING

Street System

Access to the project site is provided by Campbell Avenue, which is a 2-lane street that provides access to El Camino Real. Newhall Street is a 2-lane street that is located along the site's southeasterly boundary, and provides access to I-880 via The Alameda. Emergency vehicle only access is provided along Newhall Street.

Level of Service

In an urban street network, the critical determinants for overall traffic conditions are the operational characteristics of the major intersections. To establish a standard frame of reference when describing traffic flow, the concept of level of service is used. As described by the *Highway Capacity Manual*, the level of service of a facility is a theoretical traffic volume determined by its physical and operational characteristics and by stipulated conditions of traffic flow. Delay is a measure of driver discomfort, frustration, fuel consumption, and lost travel time, which is measured as the average stopped delay per vehicle. Flow conditions vary from unrestricted at Level A to forced flow at Level F, as described below.

Level of Service	Type of Flow	Traffic Conditions	V/C Ratio	Delay (sec.)
A	Free	No approach phase fully utilized. No vehicle waits longer than one red indication.	<0.60	$\leq$10.0
B	Stable	An occasional approach phase is fully utilized.	0.60-0.69	10.1-20.0
C	Stable	Occasional drivers may have to wait through more than one red signal. Backups may develop behind turning vehicles.	0.70-0.79	20.1-35.0
D	Approaching Unstable	Delays to vehicles may be substantial during short peaks, but periodic clearance of queues prevents excessive backups from developing.	0.80-0.89	35.1-55.0
E	Unstable	Capacity, with sustained delays and backups.	0.90-0.99*	55.1-80.0
F	Forced	Excessive delay.	Varies	>80.0

* In general, V/C ratios could not be greater than 1.00. However, if future demand projections are considered for analytical purposes, a ratio greater than 1.00 might be obtained, indicating that the projected demand would exceed the capacity.

The major street system in the project site vicinity and the levels of service are shown on the following Major Street System map.

INSERT MAJOR STREET SYSTEM MAP HERE
(FIGURE 30)

8 1/2 x 11

Existing Conditions

Local conditions and project impacts are evaluated by TRAFFIX, which is a computer program based on the *Highway Capacity Manual* method for signalized intersections. TRAFFIX evaluates signalized intersection operations on the basis of average delay time for all vehicles at the intersection. Six major intersections that would be affected by the project are reviewed. The General Plan/ Transportation Level of Service Policy requires that the minimum overall performance of City streets during peak travel periods should be level of service "D".

The major intersections were evaluated under existing and future traffic conditions to determine their level of service. Future conditions were determined by adding traffic projections from approved projects that have not been occupied, as provided by the City of San Jose Development Services Division and by the 2003 *El Camino Real Apartment Transportation Impact Analysis*, to the existing condition.

The following table lists the weighted average delays and equivalent levels of service for the existing and existing plus approved morning and evening peak hours.

Table 4. Existing Levels of Service

		Existing		Existing + Approved	
Intersection	Peak Hour	Delay* *(sec.)*	LOS	Delay* *(sec.)*	LOS
El Camino Real and	a.m.	10.0	B	11.3	B
Accolti Way/Campbell Ave.	p.m.	14.1	B	16.3	B
The Alameda and	a.m.	13.9	B	12.5	B
El Camino Real**	p.m.	15.6	B	13.9	B
The Alameda and	a.m.	16.7	B	17.9	B
Newhall Street	p.m.	14.6	B	14.4	B
The Alameda and	a.m.	22.1	C	31.1	C
I-880 Ramps (N)**	p.m.	9.0	A	11.4	B
The Alameda and	a.m.	24.7	C	26.5	C
I-880 Ramps (S)**	p.m.	8.1	A	10.5	B
The Alameda and	**a.m.**	45.4	D	**90.9**	**F**
Hedding Street**	p.m.	32.3	C	50.4	D

*Delay – Average delay for the whole intersection in seconds. LOS = Level of Service
**CMP intersection.

Under the existing plus approved condition, one of the intersections, as shown in the above table in **bold**, is operating below Level D.

Public Transit
Public transit in the project area is provided by the Santa Clara Valley Transportation Authority. Several bus routes operate along The Alameda, westerly of the site. The project site is not located within 2,000 feet of a light rail station.

Congestion Management Program Analysis
A Congestion Management Program (CMP) analysis was not performed because the Santa Clara County Congestion Management Agency, which monitors regional traffic issues, does not require an analysis for small projects of less than 100 peak hour trips.

Freeway Segment Analysis
A freeway level of service analysis was not performed since project trips on freeway segments would not be greater than one percent of the capacity of the segments.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on transportation / traffic if it would:

General Plan Amendment
- Increase the peak direction volumes across any one of the three subregional screenlines by the specified percentage; or
- Increase both the average vehicle miles traveled (VMT) or vehicle hours traveled (VHT) by 0.20 percent for all roadways in the San Jose Sphere of Influence; or
- Increase the peak direction volume on LOS E/F links by 1.50 percent or more over the average volume of those links.

Project
- Cause a City intersection operating at Level D or better to operate at Level E or F; or cause an increase in critical delay of 4.0 or more seconds and an increase in the critical V/C ratio of 0.010 or more at a City intersection that is projected to operate at Level E or F with existing plus approved projects.
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- Substantially increase hazards due to a design feature or incompatible uses.
- Result in inadequate emergency access.
- Result in inadequate parking capacity.
- Conflict with adopted policies, plans or programs supporting alternative transportation.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
15. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?			**X**		68,97
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			**X**		74
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				**X**	27,28
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?				**X**	26,28
e. Result in inadequate emergency access?				**X**	26,28
f. Result in inadequate parking capacity?				**X**	26,28
g. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				**X**	26,29

GENERAL PLAN AMENDMENT

The City analyzes proposed General Plan Amendments using the computerized TRANPLAN traffic forecasting model. Criteria were developed to exempt projects that would clearly not create significant long-term impacts by themselves. In the proposed amendment site area, an amendment that would add 250 or fewer p.m. peak hour trips is exempt. The proposed General Plan Amendment's estimated number of p.m. peak hour trips does not exceed the exemption threshold established for the area and, therefore, does not require a TRANPLAN analysis and would not create a significant long-term traffic impact.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

TRANSPORTATION / TRAFFIC POLICIES INCLUDED IN THE GENERAL PLAN

Although the proposed General Plan Amendment is not anticipated to result in significant transportation / traffic impacts, any potential transportation / traffic impacts would be further avoided or reduced by conformance with General Plan policies, as identified below.

Services and Facilities Level of Service Policy No. 2

- Capital and facility needs generated by new development should be financed by new development. The existing community should not be burdened by increased taxes or by lowered service levels to accommodate the needs created by new growth. The City Council may provide a system whereby funds for capital and facility needs may be advanced and later repaid by the affected property owners.

Services and Facilities Level of Service (Traffic) Policy No. 5

- The minimum overall performance of City streets during peak travel periods should be level of service "D".
  - Development proposals should be reviewed for their measurable impacts on the level of service and should be required to provide appropriate mitigation measures if they have the potential to reduce the level of service to "E" or worse. These mitigation measures typically involve street improvements. When the mitigation for vehicular traffic compromises community livability by removing street trees, reducing front yards, or creating other neighborhood impacts, then improvements to transit, bicycle, or pedestrian facilities may be considered in combination with more appropriate street improvements to meet the level of service standard.
  - An "area development policy" may be adopted by the City Council to establish special traffic level of service standards for a specific geographic area which determines development impacts and mitigation measures. These policies may take other names or forms to accomplish the same purpose. Area development policies may be first considered only during the General Plan Annual Review and Amendment Process; however, the hearing on an area development policy may be continued after the Annual Review has been completed and the area development policy may thereafter be adopted or amended at a public meeting at any time during the year. The City Council has adopted three Area Development Policies for Evergreen, North San Jose, and Edenvale.

Services and Facilities Transportation (Thoroughfares) Policy No. 2

- The City should cooperate with other jurisdictions to develop a thoroughfares system which adequately meets the demand for intra-County trips and minimizes traffic congestion consistent with the provisions of the Santa Clara County Congestion Management Program.

Services and Facilities Transportation (Parking) Policy No. 33

- Adequate off-street parking should be required in conjunction with all future developments. The adequacy and appropriateness of parking requirements in the Zoning Code should be periodically re-evaluated.

PD ZONING

Trip Generation

The project traffic generation is estimated in the following table.

Table 5. Project Traffic Generation

Land Use	Size	Trip Rate	Daily Trips	A.M. Peak Hour Trips In	A.M. Peak Hour Trips Out	A.M. Peak Hour Trips Total	P.M. Peak Hour Trips In	P.M. Peak Hour Trips Out	P.M. Peak Hour Trips Total
Proposed									
SFA residential	232 du's	7.5	1,740	61	113	174	113	61	174
Existing									
Warehouse	180,000 sf	5.0	900	95	41	136	43	101	144
Net Project									
		Total:	840	-34	72	38	70	-40	30

Note: The traffic report analyzes the impacts for 232 single family attached residential units as identified on a preliminary plan; however, the proposed Conceptual Site Plan is for 220 units. The impacts for the current plan are, therefore, decreased by approximately 5 percent.

Trip Distribution and Assignment

The project-generated trips were distributed and assigned to the local street system in accordance with existing travel patterns in the site vicinity and the relative locations of complementary land uses as detailed in the traffic analysis in the Technical Appendix. The proposed park is a neighborhood park, and would attract trips from the project and the adjacent residential neighborhood.

Project Impacts

The major intersections were analyzed for changes in average delay and level of service with the addition of project traffic. The average delays and corresponding levels of service are listed in the following table, and the levels of service are shown on the following Traffic Impacts map.

Table 6. Project Levels of Service

Intersection	Peak Hour	Exist. + Approved Delay* (sec.)	Exist. + Approved LOS	Exist. + App. + Project Delay* (sec.)	Exist. + App. + Project LOS	Δ Crit. Delay* (sec.)	Δ Crit. V/C Ratio
El Camino Real and	a.m.	11.3	B	14.2	B		
Accolti Way/Campbell Ave.	p.m.	16.3	B	18.0	B		
The Alameda and	a.m.	12.5	B	12.5	B		
El Camino Real**	p.m.	13.9	B	13.7	B		
The Alameda and	a.m.	17.9	B	16.6	B		
Newhall Street	p.m.	14.4	B	12.1	B		
The Alameda and	a.m.	31.1	C	30.6	C		
I-880 Ramps (N)**	p.m.	11.4	B	12.0	B		
The Alameda and	a.m.	26.5	C	26.4	C		
I-880 Ramps (S)**	p.m.	10.5	B	10.7	B		
The Alameda and	a.m.	90.9	F	90.8	F	0.0	0.000
Hedding Street**	p.m.	50.4	D	50.4	D		

* Delay = Average delay for the whole intersection in seconds. LOS = Level of Service
** CMP intersection.

INSERT TRAFFIC IMPACTS MAP HERE
(FIGURE 31)

8 1/2 x 11

The existing plus approved levels of service at the six intersections would remain unchanged with the addition of project traffic; and the project would not add four seconds or more to the critical delay and 0.010 or more to the critical V/C ratio at the intersection that is projected to operate at Level E or F. Therefore, the project's traffic impacts would be less-than-significant and no mitigation measures are required to meet the City's Transportation Level of Service Policy.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

16. UTILITIES AND SERVICE SYSTEMS

SETTING

Sanitary Sewers

There are existing 12- to 18-inch and 10-inch City of San Jose sanitary sewers in Campbell Avenue, and existing 21-inch, 14-inch and 24-inch City sanitary sewers in Newhall Street. Extensions within the project would be required.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant (WPCP). Capacity is expected to be available to serve the project based on the current capacity of 167 million gallons per day (MGD). The Water Pollution Control Plant is currently processing an estimated 135 MGD of dry weather flow. At the same time, the WPCP is currently operating under a 120 MGD dry weather flow trigger. This requirement is based upon the State Water Resources Board and the Regional Water Quality Control Board (RWQCB) concerns over the effects of additional freshwater discharges on the saltwater marsh habitat, and pollutants loading to the South Bay from the WPCP. A Growth Management System regulates new development to assure that the capacity is not exceeded. There are programs and services in place to help minimize flows to the Plant and, while plans are in place to ensure Plant compliance with the 120 mgd trigger, those plans call for conservation and water recycling as strategies for ongoing compliance.

Water Supply

There are existing 12-inch San Jose Water Company water lines in Campbell Avenue and in Newhall Street. Extensions within the project would be required.

Storm Drainage Facilities

There are existing 24-inch and 12- to 14-inch City of San Jose storm drainage lines in Campbell Avenue, and an existing 27-inch City storm drainage line in Newhall Street. Extensions within the project would be required.

Solid Waste / Recycling

Residential solid waste disposal service for the project site is provided by the City of San Jose, using GreenTeam of San Jose and/or USA Waste. They are currently using the Newby Island sanitary landfill disposal site operated by International Disposal Company. The landfill area has an estimated service life of 30 years. An unlimited residential recycling program in the City currently results in an approximately 50 percent reduction in residential solid waste that typically required disposal in a landfill.

Gas and Electric Service

Natural gas and electric services for San Jose are provided by Pacific Gas and Electric Company. There are existing services in the area.

Telephone Service

Telephone service for the project site is provided by SBC. There is existing service in the area.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on utilities and service systems if it would:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- Comply with federal, state and local statutes and regulations related to solid waste.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			**X**		9,28,69
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			**X**		28
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			**X**		7,28

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			**X**		28
ISSUES	**POTENTIALLY SIGNIFICANT IMPACT**	**POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED**	**LESS THAN SIGNIFICANT IMPACT**	**NO IMPACT**	**SOURCES**
16. UTILITIES AND SERVICE SYSTEMS (Cont.). Would the project:					
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			**X**		28
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			**X**		28
g. Comply with federal, state and local statutes and regulations related to solid waste?			**X**		28

GENERAL PLAN AMENDMENT

Existing sanitary sewer, wastewater treatment, water supply, storm drainage, solid waste/ recycling, gas and electric, and telephone utility systems are available and adequate to serve future high density residential development without substantial alteration; therefore, future high density residential development would not have a significant impact on utilities and service systems.

MITIGATION MEASURES INCLUDED IN THE GENERAL PLAN

None required.

UTILITIES AND SERVICE SYSTEMS POLICIES INCLUDED IN THE GENERAL PLAN

Although the proposed General Plan Amendment is not anticipated to result in significant impacts to utilities and service systems, any potential utilities and service systems impacts would be further avoided or reduced by conformance with General Plan policies, as identified below.

General

Services and Facilities Level of Service Policy No. 2

- Capital and facility needs generated by new development should be financed by new development. The existing community should not be burdened by increased taxes or by lowered service levels to accommodate the needs created by new growth. The City Council may provide a system whereby funds for capital and facility needs may be advanced and later repaid by the affected property owners.

Sanitary Sewers

Services and Facilities Level of Service (Sanitary Sewer System) Policy No. 6

- The minimum performance standard for sanitary sewer lines should be level of service "D", defined as restricted sewage flow during peak flow conditions. Development which will have the potential to reduce the downstream level of service to worse than "D", or

development which would be served by downstream lines already operating at a level of service worse than "D", should be required to provide mitigation measures to improve the level of service to "D" or better. In recognition of the substantial non-sewer benefits of infill development, small infill projects may be exempted from sewer mitigation requirements.

Sanitary Sewers/Wastewater Treatment/Storm Drainage

Services and Facilities Level of Service Goal No. 2

- Achieve the following level of service for these City services:
  - For sanitary sewers, level of service "D".
  - For sewage treatment, to remain within the capacity of the Water Pollution Control Plant.
  - For storm drainage, to minimize flooding on public streets and to minimize property damage from storm water.

Wastewater Treatment

Services and Facilities Level of Service (Sewage Treatment) Policy No. 7

- The City should monitor and regulate growth so that the cumulative sewage treatment demand of all development can be accommodated by San Jose's share of the treatment capacity of the San Jose/Santa Clara Water Pollution Control Plant.

Services and Facilities Level of Service (Sewage Treatment) Policy No. 8

- The operation of the Water Pollution Control Plant should comply with the water quality standards for the South San Francisco Bay established by the Regional Water Quality Control Board and implemented through NPDES (National Pollution Discharge Elimination System) permits.

Services and Facilities Level of Service (Sewage Treatment) Policy No. 9

- The City should continue to encourage water conservation programs which result in reduced demand for sewage treatment capacity.

Water Supply

Water Resources Policy No. 2

- Water resources should be utilized in a manner which does not deplete the supply of surface or groundwater, and efforts to conserve and reclaim water supplies, both local and imported, should be encouraged.

Water Resources Policy No. 10

- The City should encourage more efficient use of water by promoting water conservation and the use of water-saving devices.

Storm Drainage

Services and Facilities Level of Service (Storm Drainage and Flood Control) Policy No. 12

- New projects should be designed to minimize potential damage due to storm waters and flooding to the site and other properties.

Solid Waste

Solid Waste Goal No. 2

- Extend the life span of existing landfills by promoting source reduction, recycling, composting and transformation of solid wastes.

Solid Waste Policy No. 1

- Monitor the continued availability of long-term disposal capacity to ensure adequate solid waste disposal capacity.

Sanitary Sewers

Sanitary sewer service for the project site is provided by the City of San Jose. The existing City of San Jose sanitary sewers in Campbell Avenue and in Newhall Street are available and adequate to serve the project. Extensions within the project would be provided.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant. The project is estimated to generate an average of approximately 39,600 gallons per day (0.04 MGD) of effluent, based on the Growth Management System's land use/effluent coefficient of 180 gallons per day per single family attached residential unit. High energy efficiency appliances (e.g., Energy Star Certified clothes washers, dishwashers, etc.) would be provided with the project.

Water Supply

Water for the project site is provided by the San Jose Water Company. The existing water lines in Campbell Avenue and in Newhall Street are available and adequate to serve the project. Extensions within the project would be provided. The project is estimated to require approximately 80,900 gallons of water per day, based on 120 gallons per person per day. The project incorporates built-in water savings devices such as shower heads with flow control devices and low flush toilets to reduce water usage.

Storm Drainage Facilities

A decrease in impervious surfaces associated with project development would cause a decrease in stormwater runoff. Storm drainage service for the project site is provided by the City of San Jose. The existing storm drainage lines in Campbell Avenue and in Newhall Street are available and adequate to serve the project. Extensions within the project would be provided. An onsite collection system including curbs, gutters and an underground system would be included in the project.

Solid Waste / Recycling

Residential solid waste disposal service for the project site is provided by the City of San Jose. The project is estimated to generate up to approximately 370 tons of solid waste per year, based on 3.0 pounds per person per day; however, with recycling, the amount disposed of in a landfill could be reduced to approximately 185 tons per year.

Gas and Electric Service

There are existing Pacific Gas and Electric Company gas and electric services in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

Telephone Service

There are existing SBC telephone facilities in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

17. MANDATORY FINDINGS OF SIGNIFICANCE

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal or (6) eliminate important examples of the major periods of California history or prehistory?			**X**	
b. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects.			**X**	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		**X**		

Impact Summary

As discussed in previous sections, the proposed project would have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, with respect to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise. With the implementation of the previously listed Mitigation Measures Included in the General Plan and Mitigation Measures Included in the Project, these impacts would be reduced to less-than-significant impacts with mitigation.

ENVIRONMENTAL CLEARANCE APPLICATION

APPLICANT'S CERTIFICATION

APPLICANT	Pulte Home Corporation
PROJECT TITLE	ALTURA
PROJECT LOCATION	Northeasterly quadrant of Campbell Avenue and Newhall Street (1120 to 1140 Campbell Avenue)

I hereby certify that the statements furnished about and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

If, to my knowledge, any of the facts represented here change, it is my responsibility to inform the City of San Jose.

_____ _____

Date Applicant

APPENDIX

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INSERT MINDIGO DISCLOSURE FORM HERE

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10. **Skip Lacaze**, Senior Environmental Specialist, Office of Environmental Management, City of San Jose
11. **Gas and Electrical Mapping Departments**, Pacific Gas and Electric Company

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27. **Knowledge of the Area**

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85. **Memorandum Regarding Proposed Ordinance Amending Title 20, The Zoning Code, to Modify and Add Provisions Related to Storm Water Runoff Management and Post-Construction Storm Water Quality Control**, Stephen M. Hause, August 20, 2003

Consultants' Reports

90. **An Evaluation of Trees Located at Newhall Street and Campbell Avenue, San Jose**, Barrie D. Coate & Associates, June 9, 2004

91. **Design-Level Geotechnical Investigation, Campbell Avenue Site, San Jose, California**, Lowney Associates, March 16, 2004

92. **Supplemental Liquefaction Evaluation for the Campbell Avenue Site, San Jose, California**, Lowney Associates, April 21, 2004

93. **Phase I Environmental Site Assessment, Campbell Avenue Property, San Jose, California**, Lowney Associates, March 12, 2004

94. **Soil and Ground Water Quality Evaluation, Campbell Avenue, San Jose, California**, Lowney Associates, March 26, 2004

95. **Supplemental Soil and Ground Water Quality Evaluation, Campbell Avenue Property, San Jose, California**, Lowney Associates, May 6, 2004

96. **Altura – Residential Development, Noise and Vibration Study, San Jose, California**, Charles M. Salter Associates, Inc., October 25, 2004

97. **Focused Traffic Analysis for Campbell / Newhall Residential, San Jose, California**, Fehr & Peers, October, 2004

INSERT ACCEPTABLE SEISMIC RISK EXPOSURE (GP Figure 15) HERE

8 1/2 x 11

TECHNICAL APPENDIX

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Copies of the following consultants' reports, which were prepared for ALTURA and are summarized in this Environmental Clearance Application / Initial Study, are included in this Technical Appendix.

An Evaluation of Trees Located at Newhall Street and Campbell Avenue, San Jose, Barrie D. Coate & Associates, June 9, 2004

Design-Level Geotechnical Investigation, Campbell Avenue Site, San Jose, California, Lowney Associates, March 16, 2004

Supplemental Liquefaction Evaluation for the Campbell Avenue Site, San Jose, California, Lowney Associates, April 21, 2004

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